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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P.(I) (COMM.) 279/2016

GANGOTRI ENTERPRISES LTD- M/S. D.P. CHOPRA- JV

..... Petitioner

Through Mr.Subhiksh Vasudev, Adv.

versus

THE DY. CHIEF ENGINEER/CONST. NORTHERN RAILWAY

..... Respondent

Through Mr.Jagjit Singh, Adv. with Mr.Preet
Singh & Ms.Kiran Kaushik, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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29.08.2016

Learned Counsel for the petitioner has shown the copy of the letter dated 26th August, 2016 which indicates that the respondent has deposited an amount of Rs.1,30,79,825/- in the miscellaneous head of the Railway. The petitioner was insisting to recover the payment under protest. It is clear from the last order that the respondent had agreed to pay a sum of Rs.1,30,81,192/- to the petitioner. Mr.Jagjit Singh, learned counsel appearing on behalf of the respondent submits that the respondent is agreeable to pay the said amount without prejudice and with regard to the rest of the claim of the petitioner, if tenable, the petitioner is always at liberty to initiate arbitration proceedings. Thus, the petitioner should receive the said payment on the above said condition, for which the respondent has no objection. Counsel for the petitioner, upon instructions, is agreeable. Let

the respondent shall pay the said amount to the petitioner through counsel within ten days from today.

The present petition is accordingly disposed of.

MANMOHAN SINGH, J.

AUGUST 29, 2016/vp