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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(I) (COMM.) 292/2016

FILATEX INDIA LIMITED

..... Petitioner

Through: Ms. Pooja Mehra Saigal, Advocate.

versus

GAIL (INDIA) LIMITED

THROUGH: ITS CHAIRMAN

..... Respondent

Through: Mr. Sumeet Pushkarna with
Mr. Siddhartha Nagpal, Advocates along with Mr.
Neeraj, Law in person.

CORAM: JUSTICE S. MURALIDHAR

ORDER

09.11.2016

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1. On the previous date of hearing i.e., 27th September, 2016 learned counsel for the Respondent had made clear the stand of the Respondent about the conditions on which they were willing to resume supply of the contractual quantity of gas.
2. Learned counsel for the Petitioner today states that the Petitioner will give a fresh proposal to the Respondent as to how it will secure the Respondent for the termination costs. However, learned counsel for the Respondent is not agreeable to any variation in the stand already indicated on the previous hearing.
3. Since the Petitioner is not able to offer any solution which is acceptable to

the Respondent, it is not possible for the Court to issue any direction requiring the Respondent to resume the supply of contractual quantity of gas.

4. It is, however, made clear that dismissal of this petition will not prevent the Petitioner from making any representation to the Respondent which, if made, would be considered on merits.

5. The petition is dismissed.

S. MURALIDHAR, J

NOVEMBER 09, 2016

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