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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(I) (COMM.) 338/2016

HONSHU BUILDCON PVT. LTD Petitioner
Through: Mr. Rajesh Gupta, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION
& ANR Respondents
Through: Ms. Mini Pushkarna, Standing counsel
along with Mr. A.K. Mathur, JLO, Legal Cell.

And

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O.M.P.(I) (COMM.) 339/2016

HONSHU BUILDCON PVT. LTD Petitioner
Through: Mr. Rajesh Gupta, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION
& ANR Respondents
Through: Ms. Mini Pushkarna, Standing counsel
along with Mr. A.K. Mathur, JLO, Legal Cell.

CORAM: JUSTICE S.MURALIDHAR

ORDER
23.11.2016

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1. It is stated that the payment in terms of the order dated 21st October 2016 has already been made by the Petitioner.

2. Subject to the Petitioner continuing to make monthly payments as and when due, the Court restrains the Respondents from taking any coercive steps pursuant to the impugned demand notices dated 12th and 17th August 2016 and/or cancelling or creating any third party rights in respect of display of advertisement through kiosks on Lamp Posts/Streets Light Poles in Central Verge of Commercial and MLU Road maintained by PWD or MCD in the jurisdiction of Rohini Zone.

3. It is pointed out by learned counsel for the Petitioner that the Petitioner has filed a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (Act) seeking the appointment of an Arbitrator. Learned counsel for the Respondents informs the Court that a formal order for appointment of an Arbitrator will be issued within the next two days. The Court does not express any opinion on either of the above submissions.

4. It is however clarified that it will be open to the either party to seek variation, modification or vacation of the above interim order by filing an appropriate application before the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996.

5. The petitions are disposed of in the above terms. Order be given *dasti*.

S.MURALIDHAR, J

NOVEMBER 23, 2016

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