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

+ **FAO(OS) 320/2016**

**AIRPORTS AUTHORITY OF INDIA** ..... Appellant  
Through: Mr Tushar Mehta, ASG with Mr  
Digvijay Rai, Adv.

versus

**M/S SIKKA ASSOCIATES** ..... Respondent  
Through: Mr S.B. Upadhyay, Sr. Adv. with Mr  
Virender Kumar Sharma, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE BADAR DURREZ AHMED**

**HON'BLE MR. JUSTICE ASHUTOSH KUMAR**

**ORDER**

% **09.11.2016**

**CM No.41519/2016**

Allowed subject to all just exceptions.

**FAO(OS) 320/2016 & CM No.41518/2016**

We have heard the learned counsel for the parties at length. It is agreed by the learned counsel for the parties on instructions that the impugned order be set aside and the Section 34 petition filed by the appellant be revived to be heard on merits. It is also agreed by the learned counsel for the parties on instructions that they are no longer bound by the settlement agreement dated 28.09.2015 and that the Section 34 petition shall be decided as if the settlement had not been arrived at. Consequently, the matter is remitted to the learned single Judge for deciding the Section 34 petition being OMP No.431/2015 on merits.

Since this matter has gone on for some time, we request the learned single Judge to attempt an early disposal of the Section 34 petition as both sides are desirous of that. In the first instance, the OMP be listed before the learned single Judge on 24.11.2016.

The appeal stands disposed of on the above terms.

**BADAR DURREZ AHMED, J**

**ASHUTOSH KUMAR, J**

**NOVEMBER 09, 2016**

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