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

+ **FAO(OS) 408/2015**

M/S MEENA ADVERTISERS Appellant
Through : Mr. Sanjay R. Hegde, Sr. Advocate with
Mr. Anil Kr. Mishra, Advocate

versus

DELHI METRO RAIL CORPORATION LTD Respondent
Through : Mr. R.V. Sinha, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **20.04.2017**

CM 36790/2016 (by the respondent for modification of the order dated 20.11.2015)

1. This application has been filed by the respondent praying *inter alia* for permission to invoke the bank guarantee offered by the appellant for the balance amount of Rs.1.70 crores in view of their non-compliance of the consent order dated 28.11.2015.

2. Mr. Hegde, learned Senior Advocate appearing for the appellant hands over a letter dated 17.4.2017 addressed by the appellant to the respondent stating *inter alia* that they have selected an arbitrator from the panel of the arbitrators provided by the respondent/DMRC, with a request that the disputes subsisting between the parties be adjudicated by the

Arbitral Tribunal as per the terms and conditions governing the parties. The copy of the letter dated 17.4.2017, with a copy furnished to the other side, is taken on record.

3. In view of the aforesaid development, nothing further survives in the present application, which is disposed of.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

APRIL 20, 2017

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