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

+ **O.M.P. 454/2015**

NATIONAL HIGHWAYS AUTHORITY OF INDIA Petitioner

Through: Mr. Rajiv Kapoor, Advocate.

versus

ORIENTAL STRUCTURAL ENGINEERS PVT LTD. Respondent

Through: Mr. Anil Airi, Senior Advocate with
Ms. Bindiya L. Airi, Ms. Sadhana Sharma
& Ms. Naveli Kiran, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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29.11.2016

1. There are only two reliefs granted by the Arbitral Tribunal (AT) by the impugned Award dated 13th May, 2015. One was for the release of the Retention Bank Guarantee (RBG) and the two Performance BG (PBGs) that were furnished by the Respondent to the Petitioner and the other for costs of keeping the said BGs alive.

2. Mr. Anil Airi, learned Senior Advocate appearing for the Respondent has produced a copies of the letters dated 25th January, 2016 whereby NHAI returned the RBG to the Respondent and the letter dated 18th January, 2016 by which the two PBGs have also been returned.

3. Consequently as far as the main relief granted by the AT is concerned, the challenge to it has been rendered infructuous with the release of all the BGs to the Respondent. The award of costs of keeping the said BGs alive

is incidental to the main relief and does not call for interference.

4. The petition is disposed of.

NOVEMBER 29, 2016

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S. MURALIDHAR, J.