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

+ **FAO(OS) (COMM) 21/2017 & CM Nos. 3217-3219/2017**

NORTHEAST TOLLWAYS PVT LTD

..... Appellant

Through : Mr Chirag M. Shroff with Mr Hemant
Arya

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ORS Respondents

Through : Mr Parag P. Tripathi, Senior Advocate
with Mr Mukesh Kumar and Ms Bhavana
Duhoon for NHAI

CORAM:

HON'BLE MR JUSTICE BADAR DURREZ AHMED

HON'BLE MR JUSTICE ASHUTOSH KUMAR

ORDER

% **03.02.2017**

We have heard the learned counsel for the parties. Both sides have taken instructions and the following consent order is being passed:-

- (i) Both the parties are ready to settle the disputes arising out of the project of Operation and Maintenance of Guwahati Bypass-Nagaon-Daboka-Udali Section of NH-37, 36 and 54/54E in the State of Assam on OMT Basis (OMT-31) in terms of letter of NHAI Ref No. NHAI/OMT/REP/P-31/2013/83599 dated 02.06.2016 and subsequent letter of NHAI Ref. No. NHAI/OMT/REP/P-31/2013/92452 dated 15.12.2016 and also in terms of IA No. 10393/2016 filed by Appellant in OMP (I) No. 109/2015.
- (ii) Both the parties undertake to sign the Agreement for settlement within 7 days from passing of the Order. Upon signing of the settlement agreement, no party will raise and/or withdraw, if already raised, any claim with regard to the abovesaid project against each other before Arbitral Tribunal or any other Court/Forum.

- (iii) Immediately, or within a maximum of 7 days, after signing of the settlement agreement, NHAI will return both the Bid Security Bank Guarantee of Rs 4,41,00,000/- and Rs 2,60,00,000/- directly to the Appellant.

The above terms resolve all the disputes between the parties concerning the above project.

The appeal stands disposed of in terms of the consent order recorded above.

Dasti.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

**FEBRUARY 03, 2017
SR**