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

+ O.M.P.(I) (COMM.) 64/2017

ZILLION INFRAPROJECTS PVT. LTD

..... Petitioner

Through: Ms Swati B. Sharma and Mr Naveen
Sharma, Advocates.

versus

ALSTOM SYSTEMS INDIA (P) LIMITED
& ORS.

..... Respondents

Through: Mr Tejas Karia, Mr Akhil Anand, Mr
Surjendu Sankar Das and Ms
Avlokita Rajvi, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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07.02.2017

IA Nos.1625-26/2017

Allowed, subject to all just exceptions.

O.M.P.(I) (COMM.) 64/2017

This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 (hereafter the 'Act'), *inter alia*, praying that the respondent nos.1 and 3 be restrained from encashment of the bank guarantee no.0480316BG0000124 dated 18.02.2016 for an amount of ₹90,00,000/- and bank guarantee no.4999INGL160500001 dated 19.02.2016 for an amount of ₹3,01,00,000/-.

The learned counsel for the parties submits that the said bank guarantees were also issued against mobilization advance provided by the respondent. In this view, the controversy in the present petition is covered

by the decision of this Court in *Zillion Infraprojects Pvt. Ltd. v. Alstom Systems India (P) Ltd. & Ors. (OMP(I)(COMM.) 405/2016* rendered today. For the reasons stated therein, the present petition is also dismissed.

VIBHU BAKHRU, J

FEBRUARY 07, 2017
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