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

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Judgment delivered on: 05.07.2017

+ OMP (ENF.) (COMM.) 30/2017 & Ex. APPL(OS)848/2012
(direction)

HINDUSTAN CONSTRUCTION COMPANY LIMITED

..... Petitioner

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Raveena Rai with Ms. Tanya Chaudhary,
Advocates.

For the Respondent : None.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.07.2017

SANJEEV SACHDEVA, J. (ORAL)

1. The Decree Holder has sought execution of Award dated 21.03.2012. It is submitted by the learned counsel for the Decree Holder that the respondent has also filed a petition under Section 34 of the Arbitration & Conciliation Act, 1996 being OMP.(COMM.) 199/2016 impugning the award dated 21.03.2012.

2. Learned counsel for the Decree Holder submits that since the

proceedings are under the Arbitration & Conciliation Act, 1996, the pendency of Section 34 would amount to stay of the enforcement of the award.

3. Learned Counsel for the Decree Holder seeks leave to withdraw the petition with liberty to file a fresh petition seeking enforcement of the award in case the Section 34 petition is decided in favour of the Decree Holder.

4. In view of the above, the petition is dismissed as withdrawn with liberty to the Decree Holder, as prayed for.

JULY 05, 2017
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SANJEEV SACHDEVA, J