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

+ **FAO(OS) 361/2016**

BBEL-MIPL JOINT VENTURE Appellant

Through : Mr Hitendra Nath Ratia

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent

Through : Mr Gunjan Sinha Jain with Mr Mukesh
Kumar and Mr Ashutosh, Manager, NHAI

CORAM:

HON'BLE MR JUSTICE BADAR DURREZ AHMED

HON'BLE MR JUSTICE ASHUTOSH KUMAR

ORDER

% **31.01.2017**

CM 46146/2016(condonation of delay)

We have heard the learned counsel for the parties. The delay is condoned.

The application stands disposed of.

FAO(OS) 361/2016

The learned counsel for the appellant fairly states that the issue raised in this writ petition is covered by the ratio of the judgment in **Delhi Metro Rail Corporation Limited v. Simplex Infrastructures Limited: 2011 (3) ArbLR 307 (Delhi)**. The said decision is under consideration of the Supreme Court in Civil Appeal Nos. 7141-7144/2012.

In view of the foregoing, the present appeal is dismissed.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

JANUARY 31, 2017

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