

\$~63

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

+ W.P.(C) 11560/2016

ESSEL HIGHWAYS LTD.

..... Petitioner

Through: Mr Prashanto Sen, Senior Advocate
with Mr Sudhir Mishra, Ms Ritwika
Dandaa and Mr Pratyush, Advocates.

versus

NATIONAL HIGHWAYS AUTHORITY OF
INDIA

..... Respondent

Through: Mr Shambhu Sharan, Mr Yaman
Kumar and Mr Shashank Bhansali,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

28.08.2017

CM No.30881/2017

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

REVIEW PET. 347/2017 in W.P.(C) 11560/2016

3. The petitioner has filed the present review petition, *inter alia*, praying as under:-

“(i) Entertain the present Review Petition and be pleased to review the order of this Hon’ble Court dated 9.8.2017 passed in Writ Petition no. 11560/16 by clarifying that in the event that a party like the Petitioner were to challenge the termination referred to in the second limb of clause 2.2.7 of RFAQ, 2016 is concerned, the penal consequence contained in Clause 2.2.7 of RFAQ-2016 would only apply in the event that such challenge were to be rejected by the judicial forum before which it is made and not otherwise; and/or”

4. The interpretation of clause 2.2.7 of the RFAQ-2016 was considered in the order dated 09.08.2017 and there is no ground to review the order dated 09.08.2017.
5. The review petition is, accordingly, dismissed.

VIBHU BAKHRU, J

AUGUST 28, 2017
RK