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

+ **W.P.(C) 6270/2017**

M/S LUFT CARE PROJECTS

..... Petitioner

Through: Mr J. P. Sengh, Senior Advocate with
Mr Gaurab Beri, Mr Jenis Frances
and Ms Manisha Mehta, Advocates.

versus

UNION OF INDIA

..... Respondent

Through: Ms Adrija Thakur, Advocate for Mr
Sanjeev Narula, CGSC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.07.2017

CM No.25978/2017

1. Allowed, subject to all just exceptions.

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2. Issue notice. The learned counsel for the respondent accepts notice.

3. The petitioner has filed the present petition, *inter alia*, praying for a mandamus to the respondent to consider its request under Section 86 of the Code of Civil Procedure, 1908 as the petitioner proposes to institute legal proceedings against Statsbygg & Ms Rigmor Leirvik and P. Narayan Associates.

4. The controversy in the present petition stems from the contract awarded to the petitioner for air-conditioning works to be executed in the

Royal Norwegian Embassy (Kingdom of Norway). The tender for the said works was invited by Statsbygg and was to be submitted to Ms Rigmor Leirvik, Statsbygg, C/o Norway Embassy. The contract has also been entered into between the petitioner and Statsbygg.

5. It is the petitioner's case that it has completed the works and has not been paid the amount due to it for execution of the works in question.

6. Insofar as P. Narayan Associates are concerned, clearly there is no permission required for instituting any legal proceedings against them as they have no diplomatic immunity.

7. Since, the petitioner's application is pending for some time, the respondent is directed to consider and dispose of the same within a period of four weeks.

8. It is also not clear whether Statsbygg and Ms Rigmor Leirvik have any diplomatic immunity requiring the permission as sought for by the petitioner. Nonetheless, if there is no permission required, the same would also be communicated by the respondent.

9. The petition is disposed of with the aforesaid observations.

10. Order *dasti*.

JULY 25, 2017
MK

VIBHU BAKHRU, J