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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB. A. (COMM.) 1/2017

NATIONAL HIGHWAYS AUTHORITY OF INDIA..... Petitioner
Through: Mr.Bharat Singh, Advocate.

versus

GWALIOR BYPASS PROJECT LIMITED Respondent
Through: Mr.Manoj K.Singh, Mr.Nilava
Bandyopadhyay, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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09.01.2017

IA 162 of 2017(exemption)

1. Allowed, subject to all just exceptions.

ARB. A. (COMM.) 1 of 2017

2. Notice. Learned counsel for the Respondent accepts notice.

3. It is stated that a reply has been filed before the Arbitral Tribunal (AT) to the Respondent's application under Section 17 of the Arbitration & Conciliation Act, 1996 ('Act') and the said application is to be taken by the AT for arguments on 13th February, 2017.

4. Considering that the application under Section 17 of the Act is for interim relief, it is imperative for the AT to proceed with the hearing of the application on that date irrespective of non-completion of pleadings in the said application by that date. It is made clear that neither party will seek an adjournment on that date.

5. Considering that hearing of the application is fixed before the AT on 13th February, 2017, the Court does not consider it appropriate to interfere with the impugned order at this stage. It will be open to both the parties to advance all their arguments *vis-a-vis* the interim relief before the AT.

6. The appeal is disposed of.

S.MURALIDHAR, J

JANUARY 09, 2017

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