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

+ **O.M.P.(I) (COMM.) 60/2018**

TANTIA RAXAULTILLWAY PVT. LTD Petitioner
Through: Mr.Prashanto Chandra, Sr. Adv. with
Mr.Vipul Agarwal, Mr.Shivanshu Singh, Advs.

versus

NATIONAL HIGHWAY AUTHORITY OF INDIA Respondent
Through: Mr.Mukesh Kumar, Mr.Simranjeet
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.02.2018**

IA 1611/2018

Exemption allowed subject to all just exceptions.

O.M.P.(I) (COMM.) 60/2018

The petitioner, by way of the present petition has prayed for stay of operation of the Cure Period notice dated 15th September, 2017 and Intention to Terminate Notice dated 3rd January, 2018 issued by the respondent. Admittedly, the petitioner had replied to the Cure Period Notice vide letter dated 11th November, 2017. The same having been considered, the respondent proceeded to issue the Intention to Terminate Notice dated 3rd January, 2018. The petitioner has replied to the same under cover of its letter dated 18th January, 2018. The petitioner has also sought conciliation in terms of clause 44.2 of the agreement vide letter dated 30th January, 2018.

Counsel for the respondent, who appears on an advance notice, submits that representation made by the petitioner is under

consideration.

In my view, the present petition is premature inasmuch as the representation made by the petitioner to the Intension to Terminate notice is pending consideration. In case any adverse order is passed against the petitioner, the petitioner would be free to take such appropriate remedy as may be open to it in law, however, there can be no stay at this stage, on the consideration of the Intension to Terminate notice by the respondent.

The present petition is, therefore, disposed of.

NAVIN CHAWLA, J

FEBRUARY 05, 2018

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