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

+ **O.M.P. 141/2010**

**NHPC LIMITED (FORMERLY KNOWN AS NATIONAL HYDRO
ELECTRIC POWER CORPORATION LTD)**

..... Petitioner

Through: Mr. B.P. Singh, Ms. Neha Chaudhary
and Ms. Neeti Singh, Advocates (M-
9999982449).

versus

M/S CONTINENTAL CONSTRUCTION & ANR.

..... Respondents

Through: Mr. Satpal Singh and Ms. Neeti
Mishra, Advocates (M: 9205262093).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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11.03.2019

I.A.3630/2019

The present application has been moved seeking further time to comply with the court order. The application avers that the officials of NHPC made various attempts to contact the Respondents and obtain bank details in order to make payments, however, the office of the Respondent No. 1 company was almost inactive. There were just two employees and the office was not in a working condition. It was also noticed that the company had not filed any returns in the ROC for several years. Under these circumstances, extension is sought to make the payments in terms of the

judgement dated 6th December, 2018.

The operative portion of the said judgement reads as under:-

“Under these circumstances, it is held that the interest awarded by the Ld. Arbitrator of 14% and 12% per annum cannot be said to be unreasonable or perverse. Interest at 12% p.a. would be payable from the date of the award till date of this order. The payments be now made by NHPC of the awarded amounts, as per the present order, within 3 months. If payment is not made within 3 months, interest at the rate of 18% p.a. shall be payable on the awarded amount.”

Learned counsel for the Respondents under instructions from the consultant of the company, Mr. Purushottam states that company is in winding up and proceedings are pending before the NCLT for demerger.

In any event, today, the Respondents have provided the bank details, cancelled cheque and the PAN number to the counsel for the Petitioner who submits that the payment as per the judgement dated 6th December 2018, would be made within two weeks from today. If the payment is made within two weeks from date, interest shall not be payable.

The I.A. is disposed of.

PRATHIBA M. SINGH, J.

MARCH 11, 2019
MR