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

+ **FAO(OS) (COMM) 57/2018 and CM No.13432/2018**

DELHI METRO RAIL CORPORATION LTD Appellant

Through Mr. P.S. Narsimha, ASG, Mr. Ajit Kr. Sinha, Sr. Advocate, Mr. Tarun Johri, Mr. Ankur Gupta, Mr. Ankit Saini, Mr. V.C. Shukla and Mr. Srijan Sinha, Advocates.

versus

DELHI AIRPORT METRO EXPRESS PRIVATE LIMITED

..... Respondent

Through Mr. P.Chidambaram, Sr. Advocate, Mr. Kapil Sibal, Sr. Advocate, Mr. J.J. Bhatt, Sr. Advocate, Mr. Mahesh Agarwal, Mr. Rishi Agarwala, Ms. Anjali, Ms. Megha, Mr. Anuj Malhotra and Mr. Nishant Rao, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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10.04.2018

Caveat 277/2018

Counsel for the respondent has appeared and would be heard when the application for stay is taken up for hearing. Caveat is disposed of.

CM No 13433/2018

Exemption allowed subject to all just exceptions.

FAO(OS) (COMM) 57/2018

FAO(OS) (COMM) 57/2018 is directed against the order dated 6th

March, 2018 passed in OMP (COMM) (I) 200/2017, an application filed by the respondent under Section 9 of the Arbitration and Conciliation Act, 1996. Order dated 6th March, 2018 passed by the single Judge also decides objections filed by the appellant under Section 34 of the Arbitration and Conciliation Act, 1996 against which appeal under Section 37 of the aforesaid Act has been filed. Notice has been issued in the said appeal. Interim order has been also passed.

In view of the aforesaid position, counsel for the parties state that the present appeal may be disposed of as infructuous without commenting on merits and without prejudice to the rights and contentions of the parties in FAO(OS) (COMM) No. 58/2018.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

APRIL 10, 2018
MR