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

+ **ARB. A. (COMM.) 22/2018 & IAs 5034-35/2018**

NTPC LIMITED

..... Appellant

Through: Mr.R.P.Bhatt, Sr. Adv. with Ms.Bani
Dikshit, Ms.Nikita Chouske, Advs.

versus

JINDAL ITF LIMITED & ANR.

..... Respondents

Through: Mr.M.K.Singh, Mr.Nilava
Bandyopadhyay, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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28.05.2018

IA 5035/2018

Exemption allowed subject to all just exceptions.

ARB. A. (COMM.) 22/2018 & IA 5034/2018

Issue notice. Notice is accepted by Mr.M.K. Singh, Advocate on behalf of the respondents. He submits that the appeal can be disposed of at this stage itself.

This appeal has been filed under Section 37(2)(b) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') challenging the Interim Order dated 20th December, 2017 passed by the Arbitral Tribunal adjudicating the disputes that have arisen between the parties in relation to the Tripartite Agreement dated 11th August, 2011

By way of its Impugned Order, the Arbitral Tribunal has *inter alia* stayed the operation of the Termination Notice dated 24th July, 2017 issued by the appellant.

Counsel for the respondents submits that in the proceedings held by the Arbitral Tribunal on 26th September, 2017, learned Additional Solicitor General appearing for the appellant had made a statement that no adverse step would be taken against the respondents during the pendency of the applications in consequence of the termination. He further submits that the Arbitral Tribunal is almost at the final stage of conclusion of the oral hearing and the Award is expected in near future.

Most importantly, counsel for the respondents further submits that the respondents would make their claims, if any, only in accordance with the final Award passed by the Arbitral Tribunal.

In view of the above statement, no further order is required in the present appeal and the same is disposed of.

NAVIN CHAWLA, J

MAY 28, 2018
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