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

+ O.M.P. (COMM) 213/2018

NATIONAL HIGHWAY AUTHORITY
OF INDIA

..... Petitioner

Through: Mr S. B. Upadhyay, Sr. Advocate
with Mr Ramesh Kumar, Mr Samraat
Singh, Ms Anisha Upadhyay and Mr
Nishant Kumar, Advocates.

versus

GWALIOR BYPASS PROJECT LTD Respondent

Through: Mr Nilava Bandhopadhy

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
17.05.2018

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IA No.6881/2018

1. Allowed, subject to all just exceptions.

O.M.P. (COMM) 213/2018 & IA No.6882/2018

2. At the outset, Mr Upadhyay, learned senior counsel appearing for the petitioner states that he does not wish to press the present petition. However, it is seen that the petitioner had filed an application before the Arbitral Tribunal challenging the impartiality and independence of the Arbitral Tribunal which was not accepted. It had, then, filed a petition under Section 14 of the Arbitration and Conciliation Act, 1996 before this Court, which did not meet with any success. Dissatisfied with the decision of this Court, the petitioner had filed a Special Leave Petition before the Supreme Court, which was also rejected. After exhausting its remedies, the petitioner

has once again commenced the same process. Plainly, this is not *bonafide*.

3. However, since the learned senior counsel for the petitioner had, at the outset, requested for withdrawal of the petition, this Court is refraining from making any further observations.

4. The petition is dismissed as withdrawn albeit with costs quantified at ₹50,000/-. The cost shall be deposited with the Delhi High Court Legal Services Committee within a period of two weeks from today.

5. The pending application is disposed of.

VIBHU BAKHRU, J

MAY 17, 2018

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