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

+ **FAO(OS) (COMM) 118/2018**

NATIONAL HIGHWAY AUTHORITY OF INDIA (NHAI)

..... Appellant

Through: Ms. Pinky Anand, ASG with Mr.
A.K. Jain & Mr. Hemant Arya,
Advocates

versus

SHREE JAGANNATH EXPRESSWAYS PVT LTD (SJEPL)

..... Respondent

Through: Mr. Dayan Krishnan, Senior
Advocate with Mr. Rishi Agrawala &
Mr. Anuj Malhotra, Advocates

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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29.05.2018

CM No.23127/2018

Allowed, subject to all just exceptions.

The application is disposed of.

**FAO(OS (Comm) 118/2018, CAV No.530/2018 & CM
No.23128/2018**

While the matter was being heard, learned Senior Advocate for the respondent, on instructions, states that, without prejudice to their rights and contentions in the peculiar facts of the present case, the respondent is ready and willing to comply with the circular(s) issued by the Niti Aayog for release of 75% of the amount as per the

arbitration award.

In view of the statement made, which will be binding on the respondent, learned Additional Solicitor General states that the appeal may be disposed of. The appeal is disposed of, clarifying that the impugned order shall be treated modified by consent in terms of the statement made by the respondent. Deposit as required would be made by the appellant within a period of ten working days, upon bank guarantee being furnished. There would be no order as to costs. CAV No.530/2018 & CM No.23128/2018 are also disposed of.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

MAY 29, 2018
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