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

+ **FAO(OS) (COMM) 119/2018, CM No.23507/2018**

**M/S PROGRESSIVE CONSTRUCTION LTD ..... Appellant**

**Through: Mr.Swaroop George, Mrs.Omana  
George, Advocates**

**versus**

**NATIONAL HIGHWAYS AUTHORITY OF INDIA ....Respondent**

**Through: Mr.S. Nandakumar, Ms.Tanupriya  
Gupta, Advocates**

**CORAM:**

**HON'BLE MR. JUSTICE SANJIV KHANNA**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

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**30.05.2018**

Learned counsel for the appellant fairly states that the issue is covered by the judgment of the Supreme Court in *NHAI versus M/s Progressive MVR (JV)*, Civil Appeal No.458/2018 decided on 23<sup>rd</sup> February, 2018.

In view of the aforesaid position, the appeal is dismissed leaving the parties to bear their own costs.

**SANJIV KHANNA, J**

**CHANDER SHEKHAR, J**

**MAY 30, 2018**

**Pk/MR**