

\$~6

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

+ **W.P.(C) 6279/2018 & CM 24219/2018**

**BANK OF INDIA**

..... Petitioner

Through Mr Rajeev Mehra, Senior Advocate with  
Ms Sonal Gupta, Ms Prakujsha Priya Dashani,  
Advocates.

versus

**NATIONAL HIGHWAYS AUTHORITY  
OF INDIA & ANR.**

..... Respondents

Through Ms Pinki Anand, ASG with Mr Ankur  
Mittal, Mr Abhay Gupta, Mr Aumit Teterwal,  
Advocates.

Mr Kapil Sankala, Mr Meghna Sankala,  
Mr Sumit, Advocates for R2 with Mr Nakul  
Bharana, Director for Respondent no.2.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

% **10.08.2018**

1. After some arguments, it is apparent that the controversy involved in the present case entails disputed question of facts. It has also been pointed out by Ms Pinki Anand, the learned ASG appearing for respondent no.1/NHAI that the petitioner has an equally efficacious remedy by resorting to arbitration.

2. At this stage, Mr Mehra states that the petitioner would also like to explore the possibility of accepting NHAI's offer for payment of a sum of ₹306.62 crores in full and final settlement of all the claims of the petitioner

with respondent no.2/Dehradun Highways Project Limited also giving all its claims against NHAI.

2. In view of the above, the petition is disposed of leaving it open for the petitioner to avail the alternate remedies. However, it is also directed that the offer made by NHAI, as recorded in the order dated 02.08.2018 would remain open at least for a period of 45 days from today and the petitioner is not precluded from accepting NHAI's offer for settlement and persuading respondent no.2 to give up its claim against NHAI.

3. The petition is disposed of in the above terms. The pending application also stands disposed of.

**VIBHU BAKHRU, J**

**AUGUST 10, 2018**

pkv