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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 293/2018**
M/S EAGLE DEEP TRICHY BYPASS TOLLWAYS INDIA PVT.
LTD

..... Petitioner
Through Mr. Rakesh Khanna, Sr. Adv with
Mr. Ajay Kumar Vali, Mr. A.P. Singh
and Mr. Tuhink Bhaskar Vali, Advs.

versus

NATIONAL HIGHWAY AUTHORITY OF INDIA & ANR.

..... Respondents
Through Mr. Ankur Mittal, Mr. Abhay Gupta
and Ms. Nidhi Mittal, Advs for R-
1/NHAI.
Mr. Arun Aggarwal, Adv for R-
2/Dena Bank.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **20.07.2018**

I.A. No.9417/2018

1 Allowed, subject to just exceptions.

O.M.P.(I) (COMM.) 293/2018

2 Issue notice.

2.1 Mr.Mittal accepts notice on behalf of respondent No.1/NHAI.
Mr. Arun Aggarwal accepts notice on behalf of respondent No.2
Bank.

3 Mr. Mittal says in view of the assertions made by the learned
senior counsel, appearing for the petitioner, that pre-conciliation
meetings are on and that, admittedly, no invocation has taken place,

as yet, *qua* the subject bank guarantees, the instant petition is premature. Mr. Mittal further states, in case pre-conciliation proceedings or conciliation proceedings are concluded hereafter, at least 10 days notice would be given by respondent No.1/ NHAI, in the event, it intends to invoke the subject bank guarantees.

4 In view of the aforesaid circumstances obtaining in the matter, petition is disposed of with the direction that respondent No.1/NHAI will give at least 10 days prior written notice to the petitioner in case it intends to invoke the subject bank guarantees.

RAJIV SHAKDHER, J

JULY 20, 2018

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