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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) (COMM) 194/2018, CM APPL. 34702-34703/2018**
NATIONAL HIGHWAY AUTHORITY OF INDIA (NHAI)

..... Appellant
Through: Mr. Alok Kumar Jain, Mr. Ashok
Gurnani, Advs.

versus

TN (DK) EXPRESSWAYS LTD Respondent
Through: Mr. Suryadeep Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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29.08.2018

This appeal is not maintainable. Learned counsel for the appellant persisted in urging and addressing the court on the merits. Section 37 – as amended by the Commercial Courts Act, 2015, permits appeals only in respect of two specified categories of cases against the orders of the Court and emphasizes that “no other” appeal shall lie. Being a responsible body the NHAI have to be aware of this amendment; the persistence on its part to file the appeal, compels this Court to take appropriate measures.

The appellant may avail other remedies in the circumstances. The appeal is dismissed with cost quantified at ₹50,000/-.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

AUGUST 29, 2018/akv