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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **OMP (ENF.) (COMM.) 98/2016**
PROGRESSIVE - MVR (JV) Decree Holder
Through: Dr.Amit George, Mr.Rishabh Dheer,
Mr.Swaroop George, Ms.Rajshree Ajay, Advs.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA
..... Judgment Debtor
Through: Ms.Tanupriya Gupta, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **11.05.2018**

IA 6540/2018

This is an application filed by the Judgment Debtor praying for the release of the amount deposited by it with the Registry of this Court in compliance with the order dated 20th February, 2017. It is submitted that the Award passed by the Arbitral Tribunal in favour of the Decree Holder has been set aside by the Supreme Court vide its judgment dated 23rd February, 2018. The said judgment was further modified by the Supreme Court vide its order dated 6th April, 2018.

Counsel for the Decree Holder, who appears on an advance notice does not dispute the above position, however, submits that the Decree Holder has filed an application seeking review of the above judgment and order.

In my view, mere filing of the review cannot be a sufficient ground for refusing to release the amount deposited by the Judgment Debtor in its favour. Accordingly, the Registry shall release

Rs.48,36,12,045/- deposited by the Judgment Debtor in the Registry of this Court along with interest accrued thereon in favour of the Judgement Debtor.

The application is allowed in the above terms.

OMP (ENF.) (COMM.) 98/2016

In view of the judgment and order passed by the Supreme Court in the above-mentioned Civil appeal, nothing survives in the present petition. The same is disposed of accordingly.

The next date of 25th May, 2018 shall stand cancelled.

Dasti.

NAVIN CHAWLA, J

MAY 11, 2018

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