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

+ **FAO(OS) (COMM) 210/2018 & CM.36705/2018**

M/S NATIONAL HIGHWAYS

AUTHORITY OF INDIA Appellant

Through: Mr.Rajiv Kapoor and Mr.S. Sharma,
Advocates for the appelllant.

versus

M/S IRCON INTERNATIONAL LIMITED Respondent

Through: Mr.S.K. Chandwani and Mr.Sameer
Chandwani, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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11.12.2018

Appearance has been made on behalf of M/s. Ircon International Limited.

Counsel for the respondent has drawn our attention to the order dated 16th March, 2018 passed by the Arbitral Tribunal, stating that they would give reasons for decision on the issue of limitation in the final award.

Counsel for the respondent states that the interim order passed on 16th March, 2018 is not an interim award as it does not give any reasons but only informs the parties that the matter would be heard and decided on merits, as the Tribunal was not inclined to accept the plea of limitation. Statement made by the counsel for the respondent

is taken on record.

Counsel for the appellant states that in view of the statement made, he would not press the present appeal, and if aggrieved, he would challenge the final award which would contain the reasons for the decision on the issue of limitation also.

We clarify that in view of the statements made by the counsel for the parties, the final award, which would also contain the reasons on the question of limitation, would be treated as the award dealing with the issue of limitation.

Recording the aforesaid statement, the appeal and the application are disposed of. We also give liberty to the appellant to revive the present appeal in case of any difficulty.

SANJIV KHANNA, J.

ANUP JAIRAM BHAMBHANI, J.

DECEMBER 11, 2018

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