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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 440/2018
DSCL-FENG SHUN-WABAG CONSORTIUM Petitioner
Through: Mr. Sandeep Sethi, Sr. Adv. with
Mr. Ashish Dholakia, &
Mr. Gautam Bajaj, Advs.
(Mobile No.9818366747).

versus

M/S VA TECH WABAG LTD. Respondent
Through: Mr. Vasanth Rajasekaran, Mr. Sukrit Seth,
Mr. Surabh Babulkar & Ms. Soumya A.K.,
Advs. (Mobile No.9873122974).

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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04.12.2018

I.A. No. 16221/2018 (for exemption)

1. Exemption allowed, subject to just exceptions.

I.A. stands disposed of.

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2. This petition is disposed of by a consent order that the counsel for the respondent has handed over to the learned Senior Counsel for the petitioner a list of equipment/plant, machinery, etc. of the respondent and its sub-contractor lying at the site, and the respondent and its sub-contractor will be entitled to remove machinery,

equipment/plant and other related items which are lying at the site within a period of two weeks from today but from today itself it will be the entitlement of the petitioner and its personnel to enter the site to carry forward the subject project and there will be no disturbance in the work being done by the petitioner or its personnel for the subject project on the site. Copy of this list handed over to learned Senior Counsel for the petitioner is also placed on the record of this petition.

3. As also agreed the respondent will hand over whatever drawings, data sheet, manuals, keys of the various rooms, warranty, testing and commissioning certificates are in his possession, whether as originals or in photocopies which have been received by the respondent either from the petitioner or from the Engineers India Ltd. Needful be done within a period of one week from today but the period of one week is outer limit and respondent will give drawings, data sheet, manuals, keys of the various rooms, warranty, testing and commissioning certificates if given in part every day after twenty four hours.

4. After the respondent and its sub-contractor remove all its equipment/plant, machinery, etc. from the site, it is agreed that no

personnel of the respondent or its sub-contractor will remain on the site.

5. The petition is, accordingly, disposed of in terms of the aforesaid.

6. Dasti to counsel for the parties.

VALMIKI J. MEHTA, J

DECEMBER 04, 2018
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