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

+ O.M.P. (COMM) 16/2018 & I.A. No. 16521/2018

RAJ BUILDCON CONSTRUCTION LIMITED Petitioner

Through: Mr. Sandeep Bajaj with Mr. Naman
Tandon, Advs

versus

M/S NKG INFRASTRUCTURE LTD. Respondent

Through: Mr. Sunil Kr. Singh, Authorised
Representative

+ O.M.P. (COMM) 443/2017 & I.A. No. 15627/2018

M/S NKG INFRASTRUCTURE LTD. Petitioner

Through: Mr. Sunil Kr. Singh, Authorised
Representative

versus

RAJ BUILDCON CONSTRUCTION LIMITED Respondent

Through: Mr. Sandeep Bajaj with Mr. Naman
Tandon, Advs

+ O.M.P. (COMM) 170/2018 & I.A. No. 9714/2018

RAJ BUILDCON CONSTRUCTION LIMITED Petitioner

Through: Mr. Sandeep Bajaj with Mr. Naman
Tandon, Advs

versus

M/S NKG INFRASTRUCTURE LTD. Respondent

Through: Mr. Sunil Kr. Singh, Authorised
Representative

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
% 04.12.2018

I.A. No. 16521/2018

1. This application has been filed in OMP (COMM) 16/2018. The said petition has been filed under Section 34 of the Arbitration and Conciliation Act, 1996 (in short "1996 Act") to assail the award dated 18.08.2017.
2. To be noted, this is a joint application filed by the parties herein.
3. The application is supported by an affidavit of the Authorised Representatives of the parties. While the petitioner is represented by Mr. Sandeep Bajaj, Advocate, the respondent is represented by its Authorised Representative Mr. Sunil Kumar Singh, who, is present in Court.
4. Mr. Sandeep Bajaj, learned counsel for the applicant/petitioner identifies Mr. Sunil Kumar Singh.
5. I have also been shown the Pan Card and Identity card issued to Mr. Sunil Kumar Singh by the respondent. The photocopy of the same is taken. The Registry is directed to scan and upload the same.
6. The prayer in the application is to the effect that the connected proceedings should be disposed of in terms of the Settlement Agreement dated 16.11.2018 arrived at between the parties.
7. A copy of the Settlement Agreement is appended to the captioned application.
8. I have perused the terms of the settlement, the same are lawful, therefore, in my view, the application can be disposed of in terms of the

prayers made.

9. The connected petitions, I am told, are OMP (COMM) 16/2018 and the petition under Section 34 of the 1996 Act filed by the respondent which is numbered as OMP (COMM) 443/2017. Besides this, the petitioner claims that an Execution petition was also filed which is numbered as OMP (ENF.) (Comm) 170/2018.

10. In the normal course, the said petition filed under Section 34 of the 1996 Act and the Execution petition is coming up for hearing on 29.01.2019.

11. The Registry is directed to place OMP (COMM) 443/2017 and OMP (ENF) (COMM) 170/2018 before the Court today.

12. In view of what is noticed above and the assertion in the application, the prayer made therein is allowed.

13. Consequently, the pending petitions i.e. OMP (COMM) 16/2018 443/2017 and 170/2018, shall stand disposed of in terms of the Settlement Agreement.

14. The application is disposed of in the aforesaid terms.

15. Resultantly, the date fixed in the said petitions i.e. 29.01.2019, shall stand cancelled.

RAJIV SHAKDHER, J

DECEMBER 04, 2018

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