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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB. A. (COMM.) 22/2019, I.As. 11648-11649/2019**
KANTI BIJLI UTPADAN NIGAM LTD.

..... Petitioner

Through: Mr. Puneet Taneja and Mr. M.S.
Narula, Advs.

versus

PALTECH COOLING TOWERS & EQUIPMENTS LTD.

..... Respondent

Through: Ms. Nitin Mishra and Ms. Sakshi,
Advs.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **26.08.2019**

I.A. 11649/2019 (for exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

ARB. A. (COMM.) 22/2019, I.A. 11648/2019

The challenge in this petition is to an order passed by the learned Arbitrator whereby the learned Arbitrator has directed the petitioner herein not to invoke the Bank Guarantees being 0440219BG0000008 and 0440219BG0000009 till the final disposal of the arbitration proceedings.

Mr. Puneet Taneja, learned counsel for the petitioner submits that the learned Arbitrator while passing the said order has overlooked the settled position of the law with regard to the invocation of the bank guarantees.

I am not inclined to go into the legality of the order passed as I note

that the learned Arbitrator has fixed August 31, 2019 and September 07, 2019 as the dates for final hearing in the proceedings, except taking the submission made by the learned counsel for the respondent without prejudice to his contention that this Court has no jurisdiction to entertain the petition that the respondent shall keep the validity of the bank guarantees alive till the arbitration proceedings are finalised.

The present petition and connected application are dismissed.

V. KAMESWAR RAO, J

AUGUST 26, 2019/aky