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

+ O.M.P.(I) (COMM.) 403/2018

M.V.OMNI PROJECTS(INDIA) LIMITED

..... Petitioner

Through: Mr. Subodh K. Pathak with Ms.
Pranita Shekhar, Advocates.

versus

THE EXECUTIVE ENGINEER, CPWD

..... Respondent

Through: Mr. Ruchir Mishra with Mr. Mukesh
Kumar Tiwari, Mr. Abhishek Rana,
Advocates along with Mr. Gurmai
Singh, Executive Engineer, CPWD.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **27.02.2019**

I.A. 16042/2018

1. Mr. Gurmai Singh, Executive Engineer, CPWD, is present in Court.
2. A reply has been filed on behalf of the respondent. In the reply it is asserted that the work at the site was being carried out not with respect to the contract awarded to the petitioner but that which was awarded to some other Contractor. In sum, the stand is that there is no violation of this Court's order dated 12.10.2018.
2. I may indicate that the photographs of the Local Commissioner do not indicate that the work at site which was carried out by CPWD is related to

contracts other than that which was given to the petitioner.

3. However, having regard to the fact that Mr. Gurmai Singh, Executive Engineer, CPWD is present in Court and says that if there has been any violation of the order, it was neither deliberate nor wilful, I am inclined to close the application. It is ordered accordingly.

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4. Since the Local Commissioner's report has come on record, Mr. Pathak says that no further order is required in the captioned petition. Learned counsel for petitioner says that he will have the petitioner remove the remaining material, machinery and implements from the subject site within two weeks from today.

4.1 To be noted, any rubble which is at the site and that pertains to the petitioner will also be removed within the same time frame.

5. The petition is, accordingly, closed.

RAJIV SHAKDHER, J.

FEBRUARY 27, 2019

Hs/VKR