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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO(OS) (COMM) 34/2020, C.M. Appl. No. 5769/2020
PANIPAT JALANDHAR NH 1 TOLLWAY PVT LTD

..... Appellant

Through: Mr. C.A. Sundaram, Senior Advocate
with Mr. Dharmendra Rautray, Ms.
Tara Shahani, Mr. Shivansh Jolly,
Ms. Pragya, Mr. Aayush Marwah,
Mr. Zafar Inayat, Advocates

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA

..... Respondent

Through: Mr. Sanjay Jain, ASG with Mr. Jos
Chiramel, Mr. Arkaj Kumar, Mr.
Padmesh Mishra, Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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24.02.2020

1. On the last date of hearing, the present appeal was adjourned to enable the briefing counsel of Mr. Sanjay Jain, learned ASG to obtain instructions from the respondent/NHAI.

2. Today, Mr. Sanjay Jain, learned ASG submits that the respondent has yet to take a decision to terminate the contract governing the parties. He states that in the event the respondent/NHAI does decide to terminate the contract, they would be agreeable to the appellant being granted a reasonable breathing time to seek legal recourse.

3. In view of the submission made hereinabove, which is accepted by Mr. C.A. Sundaram, Senior Advocate appearing for the appellant, the present appeal is disposed of with a direction that in the event the respondent/NHAI decides to terminate the contract between the parties, the appellant will be entitled to seek legal recourse and the said order, if any passed, shall be kept in abeyance for a period of seven working days, reckoned from the date of receipt thereof by the appellant.

4. The appeal and pending application are disposed of.

HIMA KOHLI, J

ASHA MENON, J

FEBRUARY 24, 2020

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