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via Video-conferencing

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

+ **W.P.(C) 3303/2020 & CM APPL. No. 11577/2020**

**COX AND KINGS GLOBAL
SERVICES PVT. LTD.**

..... Petitioner

Through: Mr. Jayant Mehta, Ms. Shruti Arora
and Mr. Rishi Agarwal, Advocates.

versus

UNION OF INDIA

..... Respondent

Through : Ms. Maninder Acharya, ASG with
Mr. Anurag Ahluwalia, CGSC for
UOI with Mr. Abhigyan Siddhant and
Mr. Viplav Acharya, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **09.06.2020**

Pursuant to last order dated 04.06.2020, both parties have filed tabulated charts indicating the various bank guarantees that are required to be furnished by the petitioner to the respondent under their *inter-se* contractual arrangements, the extension of which are subject matter of the dispute in this petition.

2. Mr. Jayant Mehta, learned counsel appearing for the petitioner and Ms. Maninder Acharya, learned ASG appearing along with Mr. Anurag Ahluwalia, learned CGSC for respondent/Ministry of External Affairs, Government of India, submit that they have taken instructions

from their respective clients; and that the parties are agreeable to resolving the disputes that are subject matter of the present petition on the following terms, on which terms the petition may be disposed of :

- (i) In relation to Visa Agreement dated 29.04.2014 as extended by Extension of Visa Agreement dated 31.12.2019, the petitioner shall furnish to the respondent/Ministry, bank guarantee/s in the aggregate sum of US Dollars 4,534,075;
 - (ii) In relation to Passport Agreement dated 19.04.2016 as extended by Extension of Passport Agreement dated 31.12.2019, the petitioner shall furnish to the respondent/Ministry, bank guarantee/s in the aggregate sum of US Dollars 1,978,680;
 - (iii) *All* bank guarantees referred to in (i) and (ii) above shall be furnished 'independently' by the petitioner/Cox and Kings Global Services Private Limited *without any involvement* of any third party whatsoever;
 - (iv) *All* bank guarantees referred to in (i) and (ii) above shall be furnished by or before 30.06.2020;
 - (v) *All* bank guarantees referred to in (i) and (ii) above shall be valid upto 30.06.2022 ;
 - (vi) If any bank guarantee/s has/have already been furnished by the petitioner to the respondent/Ministry towards the extension of the contractual arrangements, the same would be replaced with fresh bank guarantee/s in compliance of the above terms.
3. The petitioner shall file an affidavit of a duly authorised officer, undertaking and agreeing to comply with the terms set-out above within a period of 10 (ten) days from today.

4. Once the bank guarantees, as agreed to above, are furnished/replaced, the bank guarantees already submitted shall be returned in original by the respondent/Ministry to the petitioner's duly authorised officer.
5. The present petition and all pending application are disposed of in the above terms.

ANUP JAIRAM BHAMBHANI, J.

JUNE 09, 2020

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