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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 160/2020**

TUNTUN KUMAR SINGH

.....Appellant

Through: Mr Arun Batta, Ms Indira Marla, Ms
Neha Kumari and Mr Abdul Vahid,
Advocates.

versus

**DELHI TRANSPORT INFRASTRUCTURE
DEVELOPMENT COP. LTD.**

..... Respondent

Through: Mr Gautam Narayan, ASC for
GNCTD with Ms Shivani Viz,
Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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25.08.2020

The hearing was conducted through video conferencing.

CM APPL. 20310/2020 (Exemption)

1. Allowed, subject to all just exceptions. The application stands disposed-off.

FAO 160/2020 & CM APPL. 20309/2020 (stay)

2. Issue notice.
3. The learned ASC accepts notice on behalf of the respondent/GNCTD.
4. At the request of learned counsels for the parties, the appeal is taken up for disposal.
5. The appellant apprehend that he will be debarred from participating in future tenders which may be floated by the respondent. A stay was granted on his debarment from participating in the aforesaid tender vide the order of the Hon'ble District Judge dated 19.06 2020. Mr Gautam Narayan, the learned ASC for the respondent/GNCTD states

that the earlier relief granted to the appellant was, that he could participate in the tender bid of 27.05.2020. The appellant did not participate in that tender. The appellant has sought refund of the tender amount of Rs.2 lacs. The aforesaid order further records that the appellant would seek other reliefs in the arbitration proceedings. The learning standing counsel for GNCTD further submits that the appellant has not yet initiated any arbitration proceedings, instead he filed a review petition and then filed another application contending that in case the review petition is not made out, then the same be treated as an application for correction of the order dated 19.06.2020.

6. Be that as it may, the relief now sought by the appellant could be sought under the terms of the agreement, in the proceedings under Section 17 of the Arbitration & Conciliation Act.
7. The appeal, along with pending application, stands disposed-off in the above terms.
8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 25, 2020/rd