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

% Decided on: 13th January, 2021

+ LPA 404/2020 & CM APPLs.35045-46/2020

THEME ENGINEERING SERVICES PVT. LTD. Appellant

Through: Mr.Amit Sibal, Sr. Advocate with
Ms.Nandadevi Deka, Mr.Vinay Tripathy,
Mr.Sudhir Yadav, Mr.Savyasachi Rawat,
Advocates.

Versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA Respondent

Through: Mr.Sudhir Nandrajog, Sr. Advocate
with Ms.Padma Priya & Mr.Dhruv Nayar,
Advocates.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **13.01.2021**

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

1. The original petitioner in W.P.(C) No.11167/2020 has filed this appeal being aggrieved and dissatisfied with the order dated 24th December, 2020, passed by the learned Single Judge.

2. Learned counsel for the appellant submits that in the said writ petition, an order dated 17th December, 2020 was under challenge whereby

LPA 404/2020

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the present appellant (Original Petitioner) was debarred from bidding for the tenders advertised by NHAI, for a period of two years. It is submitted that the said order has now been revised and a fresh order has been issued by the respondent on 12th January, 2021, which has been served upon the Appellant today morning. By virtue of the revised order the period of debarment of the appellant has been reduced from two years to six months. It is thus submitted by the learned Senior Counsel appearing for the appellant that suffice would it be if the appeal is disposed of granting liberty to the appellant to challenge the revised order dated 12th January, 2021 along with the earlier order dated 17th December, 2020 and to raise, *inter alia*, all the contentions raised in this appeal.

3. Having heard the learned Senior Counsels for the parties and looking to the facts and circumstances of the case, the present appeal is disposed of granting liberty to the appellant to challenge the revised order dated 12th January, 2021 along with the earlier order dated 17th December, 2020 in accordance with law, rules, regulations and Government policies applicable to the facts of the case. It is open to the appellant to raise, *inter alia*, all grounds and contentions available to it while challenging the said order, including those raised in the present appeal.

4. All the pending applications stand disposed of.

CHIEF JUSTICE

JYOTI SINGH, J

JANUARY 13, 2021/ 'anb'