

\$~29(Original Side)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB. A. (COMM.) 25/2020**
NATIONAL HIGHWAYS AUTHORITY OF INDIA

..... Petitioner

Through: Ms. Neetika Sharma, Adv.

versus

VIJAYWADA TOLLWAYS PRIVATE LIMITED

..... Respondent

Through: Ms. Gunjan Chhabra, Adv.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)

15.04.2021

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(Video-Conferencing)

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1. The impugned order in this application has been passed by the learned arbitral tribunal under Section 17 of the Arbitration and Conciliation Act, 1996. By the said order, the respondent before the learned arbitral tribunal, i.e. the appellant, in the present appeal, has been restrained from recovering ₹ 16.77 crores, from the claimant before the learned arbitral tribunal, who is the respondent in the present appeal.

2. The said direction is interlocutory in nature, till the passing of the final award by the learned arbitral tribunal.

3. Learned counsels for the parties are *ad idem* on the fact that the

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learned arbitral tribunal has concluded hearing in this matter and the final award stands reserved.

4. In view thereof, I do not see any purpose in deciding the present appeal.

5. The learned arbitral tribunal would, needless to say, decide the main dispute on its own merits, uninfluenced by the impugned order and the findings recorded therein. I hasten to clarify, however, that this caveat does not amount either to approval or disapproval by this Court, regarding the reasoning and findings of the impugned order dated 27th August, 2020, as the Court has not deliberated on the merits thereof, the final award being reserved.

6. With the aforesaid observations and reserving liberty to either aggrieved party to challenge the final award as and when it is passed, if aggrieved, this appeal stands disposed of.

C.HARI SHANKAR, J

APRIL 15, 2021

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