



O.P No.390 of 2017  
and  
Appln.No.2434 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM

**THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY**

**O.P.No.390 of 2017**  
**and**  
**Appln.No.2434 of 2024**

M/s.Bharat Heavy Electronics Ltd.,  
No.690, Anna Salai, Nandanam  
Chennai- 600 035.

...Petitioner

versus

M/s.NCC Limited  
(Formerly Nagarjuna Construction Co.Ltd.)  
4th Floor, NCC House, Survey No.64,  
Madhapur, Hyderabad- 500 081

... Respondent

Arbitration Original Petition filed under Section 34(1) of the Arbitration and Conciliation Act, 1996, to set aside the Award of the Arbitrator dated 22.02.2017 insofar as the Award awarded Claims under Claim Nos.7 and 9 and interest to the Respondent and rejected the Counter Claim of the Petitioner relating to liquidated damages in full and the counter claim of the Petitioner relating to Risk and cost recovery in part.



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For Petitioner : Mr.Saketh Reddy

For Respondent : Mr.P.J.Rishikesh

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### **ORDER**

Application No.2434 of 2024 has been filed to permit the applicant herein to withdraw the petition in O.P.No.390 of 2017.

2. Heard the learned counsel appearing on either side.

3. In view of the reasons stated in the affidavit filed in support of the aforesaid application and also recording the endorsement made by the learned counsel for the Petitioner in O.P.No.390 of 2017, Application No.2434 of 2024 is allowed as prayed for and O.P.No.390 of 2017 stands dismissed as withdrawn.

**30.04.2024**

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**KRISHNAN RAMASAMY.J.,**  
arr

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**30.04.2024**