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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P. (COMM) 118/2019**

UNION OF INDIA

.....Petitioner

Through: Mr. Ripudaman Bhardwaj, CGSC
along with Mr. Kushagra Kumar, Mr.
Abhinav Bhardwaj, Mr. Rajesh
Mishra, Mr. Amit Kumar Rana,
Advocates for UOI.

versus

M/S ANS CONSTRUCTION LTD

.....Respondent

Through: Mr. Sushil Aggarwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
12.02.2025

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I.A. 3734/2025 (Seeking directions for clarification in order dated 29.01.2025)

1. This application has been filed by the respondent seeking correction in the order dated 29th January 2025 passed by this Court.
2. By Judgment dated 28th June 2024, claim nos. 3, 7 and 9 of the Arbitral Award were confirmed as granted by the Arbitral Tribunal in favour of respondent, whereas claim no.5 which was granted was set aside by the said judgment.
3. *Qua* claim nos.3, 7 and 9, the amount awarded was as under:



S.N.	Claim No.	Claim	Amount awarded (Rs.)
1.	Claim 3	10CC (Price Escalation) Claim for civil material component, labour component & Oil and Lubes component	11,72,086/-
3.	Claim 7	Reimbursement of excess Bank Charges paid for Bank Guarantees	1,87,000/-
4.	Claim 9	Claim for extra cement consumed in the project as recommended in the design mix and above the minimum requirement	2,78,693/-



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4. Counsel for respondent points out that as per the Arbitral Award, interest amount was also awarded for the periods between 2016-2018 and then 2018-2019, as per the table below:



S.N.	Claim	Claim	Amount awarded (Rs.)	Interest @ 9% for the period 29.02.2016 to 17.08.2018	Interest @ 11% for the period 18.08.2018 to 04.07.2019
1.	Claim 3	10CC (Price Escalation) Claim for civil material component, labour component & Oil and Lubes component	11,72,086/-	2,60,107/-	1,13,034/-
2.	Claim 7	Reimbursement of excess Bank Charges paid for Bank Guarantees	1,87,000/-	41,499/-	18,034/-
3.	Claim 9	Claim for extra cement consumed in the project as	2,78,693/-	61,847/-	26,877/-



[Signature]

		recommended in the design mix and above the minimum requirement			
		TOTAL	16,37,779/-	3,63,452/-	1,57,945/-

5. It is stated that the order of 29th January 2025 was restricted to the withdrawal of the principal amount *whereas* the respondent could be entitled to the interest which was awarded on the principal amount.



6. The date of the deposit before the Court was 4th July 2019. Therefore, the respondent will be entitled to interest calculated on the principal amount at 9% for the period of ‘29th February 2016 to 17th August 2018’ and interest calculated at 11% on the principal amount for the period of ‘18th August 2018 to 4th July 2019’ (which accumulates to Rs.21,59,176/-) plus interest which has accrued on the fixed deposit with the Registry of this Court.
7. Accordingly, the order is corrected and the Registry may release an amount of Rs.21,59,176/- plus the interest which would have accrued on the fixed deposit with the Registry, till date, in favour of the respondent. The balance amounts may be released to the respondent.
8. Application is disposed of in the aforesaid directions.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

FEBRUARY 12, 2025/ak/kp