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

+ O.M.P.(I) (COMM.) 158/2024

BAINBRIDGE NAVIGATION PTE LTDPetitioner

versus

RASHTRIYA ISPAT NIGAM LTD AND ORSRespondents

+ O.M.P.(I) (COMM.) 159/2024

BAINBRIDGE NAVIGATION PTE LTDPetitioner

versus

RASHTRIYA ISPAT NIGAM LTD AND ORSRespondents

Appearances:

Mr. Utkarsh Joshi, Advocate for petitioner.

Mr. Ankit Chaturvedi, Advocate for R-1 with Mr. Polumati Vinodh,
Deputy General Manager.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **29.07.2024**

1. Further to the order dated 10.07.2024, Mr. Ankit Chaturvedi, learned counsel for respondent No. 1, states that an affidavit has been filed by the Director (Projects) of respondent No. 1, alongwith an application for condonation of delay in filing of the said affidavit. The affidavit and the application are not on record, but have been handed over in Court and are taken on record.

2. The application only states that the delay has occurred because the draft affidavit had to be reviewed by the senior Management of the



respondent, and because the concerned officer was not physically available “*due to certain official commitments*”. In the affidavit also, the explanation that has been given as to why the payment could not be made within the time committed to the Court, includes a cessation of work at Adani Gangavaram Port from 13.04.2024 to 17.05.2024, resulting in substantial stock of coal getting stuck at the port. The commitment recorded by the Court was, however, made after this period, on 20.05.2024. The explanation given in the application and the affidavit are, thus, not entirely satisfactory.

3. Learned counsel for the parties, however, state that, after the order dated 10.07.2024, the amounts in question have, in fact, been remitted by the respondent to the petitioner.

4. In view of the aforesaid position, the applications are disposed of. However, the respondent is directed to pay costs of these applications, assessed at Rs. 10,000/- in each application, to the petitioner, within four weeks from today.

PRATEEK JALAN, J

JULY 29, 2024
‘Bhupi’