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

+ **O.M.P.(I) (COMM.) 227/2024 & I.A. 45042/2024**

KRISHNAGIRI WALAJAHPET TOLLWAY PRIVATE LIMITED

.....Petitioner

Through: Mr. Parag P. Tripathi, Sr. Adv., Ms.
Rimali Batra, Mr. Abhishek Lalwani,
Mr. Krishan Kumar, Advocates

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ANR.

.....Respondents

Through: Mr. Santosh Kumar, Standing
Counsel, Mr. Devansh malhotra, Mr.
Aditya Ramani, Ms. Sangeeta
Vazirani, Ms Nidhi Rani, Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

10.12.2024

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1. The present petition under Section 9 of the Arbitration and Conciliation Act, 1996 seeking interim reliefs.
2. This Court vide Order dated 18.07.2024 had restrained the Respondents from taking any coercive steps against the Petitioner on the basis of Letter dated 02.07.2024 by which the Independent Engineer gave a suggestion to the Respondents to suspend the work of toll collection.
3. It is stated that arbitration has been invoked and a Tribunal is already in place.
4. In view of the fact that the Tribunal has been constituted, this Court is



of the opinion that the present petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 be considered as one filed under Section 17 of the Arbitration and Conciliation Act, 1996.

5. The Tribunal is requested to consider the present petition as one filed under Section 17 of the Arbitration and Conciliation Act, 1996.

6. The Interim Order passed on 18.07.2024 shall continue till the Tribunal decides the application under Section 17 of the Arbitration and Conciliation Act, 1996. Pleadings are to be completed before the Tribunal.

7. With these observations, the petition is disposed of, along with pending application(s), if any

SUBRAMONIUM PRASAD, J

DECEMBER 10, 2024

S. Zakir