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

+ **O.M.P. (E) (COMM.) 4/2025**

VALPLAST TECHNOLOGIES LIMITED

.....Petitioner

Through: Mr. Rakesh Kumar, Mr. Ankit Kumar
and Mr. Aman Kumar, Advocates

versus

**GAMMON ENGINEERS AND CONTRACTORS PRIVATE
LIMITED & ORS.**

.....Respondents

Through: Ms. Awantika Manohar and Ms. Parul
Dhurvey and Mr. Aman Pandey,
Advocates for R-1

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

18.11.2025

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1. This Petition under Section 27 of the Arbitration and Conciliation Act, 1996, has been filed by the Petitioner with the following prayers:

“a) direct Mangdechhu Hydroelectric Project Authority (MHPA), and the members of Dispute Adjudication Board to provide directly to the arbitral tribunal, the entire case record consisting of the Pleadings alongwith supporting documents, evidence and Order Sheet in respect of Dispute Nos. 2 and 4 for Adit Nos. I, II and III (Package C-2) For Mangdechhu Hydroelectric Project (4 x 180 MW) Trongsa, Bhutan

b) further direct Mangdechhu Hydroelectric Project Authority (MHPA), to provide directly to the arbitral tribunal, details of the following:

(i) date of payment Nu. 1.408 Crores made to



Gammon Engineers And Contractors Private Limited subsequently approved vide letter dated 03.02.2018;

(ii) date of payment of Rs. 28.92 crores to Gammon Engineers And Contractors Private Limited pursuant to the Award dated 04.09.2018.

c. pass such other and further orders as this Hon'ble court deem fit in the facts and circumstances of the may case."

2. The present Petition has been filed by the Petitioner pursuant to the Order dated 19.12.2024, passed by the learned Arbitrator, wherein the learned Arbitrator has held as under:

"5. The Tribunal has considered the submissions made by both Parties. The Tribunal is of the view that since the documents sought are material and relevant, as they pertain to "Pass Through Claims", which are the subject matter of the present arbitration, it would be just and appropriate to grant leave to the Claimant to approach the Hon'ble Delhi High Court for necessary directions to obtain the case record for Dispute Nos. 2 and 4, alongwith the particulars of the payments made by MHPA to the Respondent with respect to the Pass Through Claims' for Adit Nos. I, II and III which were within the scope of the works sub-contracted to the Claimant.

In view of the above, prayers (i) and (ii) of I.A. No. 2 are allowed, and .Claimant is granted leave to approach the Hon'ble Delhi High Court for necessary directions u/S 27 of the Arbitration and Conciliation Act, 1996.

The Claimant is directed to keep the Tribunal apprised of the Orders passed by the Hon'ble Delhi High Court"



3. Notice in the present Petition was issued on 03.03.2025. Affidavit of service has been filed. Despite service, there is no appearance on behalf of the Respondent No.2.
4. For the reasons stated in the Petition and as opined by the Ld. Arbitrator, the Petition is allowed.
5. The Petitioner is directed to get the order executed after approaching the Courts at Thimpu, Bhutan.
6. The Petition is disposed of, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 18, 2025

Rahul