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

+ **FAO(OS) (COMM) 58/2024 & CM APPL. 17905/2024**

NTPC LTD

.....Appellant

Through: Mr. Gopal Jain, Sr. Advocate with
Mr. Adarsh Tripathi and Mr. Vikram
Singh Baid, Advocates

versus

K N INTERNATIONAL LIMITED

.....Respondent

Through: Mr. Gagan Gupta, Sr. Adv with Mr.
Tathagat Kumar, Mr. Divyanshu
Chaubey, Mr. Amit Gautam
Advocates

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

26.03.2025

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1. The present appeal under Section 37(1)(c) of the Arbitration and Conciliation Act, 1996 has been filed by the Appellant challenging the Judgment dated 04.01.2024 passed by the learned Single Judge rejecting a petition being OMP (COMM) 6/2024 filed under Section 34 of the Arbitration and Conciliation Act, 1996 on the first date of hearing itself.
2. This Court is of the opinion that the matter requires a more detailed scrutiny and dismissal of the petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 on the very first date in the facts of the present case was not warranted.



3. Both parties are agreeable to the Impugned Judgment dated 04.01.2024 being set aside and the matter being remanded back to the Roster Bench for a more detailed scrutiny regarding the challenge to the Award dated 30.08.2023.

4. The appeal is disposed of, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case. All the rights and contentions of the parties are left open to be agitated before the learned Single Judge.

SUBRAMONIUM PRASAD, J

HARISH VAIDYANATHAN SHANKAR, J

MARCH 26, 2025

S. Zakir