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

+ FAO(OS) (COMM) 161/2025, CM APPL. 64348/2025 (Stay),
CM APPL. 64349/2025 (Seeking permission to file lengthy
synopsis and list of dates), CM APPL. 64350/2025 (Ex. from
filing certified copies of annexures A-1 to A-21) & CM APPL.
64637/2025 (For withdrawal the present appeal)

JAIPRAKASH POWER VENTURES LIMITEDAppellant

Through: Mr. Anupam Lal Das, Senior
Advocate with Mr. Pawan
Upadhyay and Mr. Rishab
Khare, Advocates

versus

GE POWER INDIA LIMITED & ANR.Respondents

Through: Mr. Ajay Bhargava, Mr.
Thriyambak J. Kannan and Ms.
Phalguni Nigam, Advocates for
R-1

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

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14.10.2025

1. The present Appeal, under Section 37 of the Arbitration and Conciliation Act, 1996, read with Section 13 of the Commercial Court Act, 2015, assails the correctness of the Order dated 21.08.2025 in OMP (I) (COMM.) No. 303 of 2025, whereby the learned Single Judge restrained the Appellant from encashing the Performance Bank Guarantees furnished by Respondent No. 1.
2. Learned Counsel for the parties pray for the disposal of the present Appeal in terms of the settlement dated 03.10.2025 arrived at between the parties. An application has been filed under Order XXIII



Rule 1 of the Civil Procedure Code, 1908 [“**CPC**”], whereas in fact, the application should have been filed under Order XXIII Rule 3 of the CPC.

3. Be that as it may, the original Deed of Settlement has also not been filed along with the application.

4. During the course of the hearing, learned Counsel for the parties produced a signed copy of the Settlement Deed, which is taken on record and marked as Exhibit-C1. The Registry is directed to do the needful.

5. At the joint request of learned Counsel for the parties, the present Appeal is disposed of in terms of the aforesaid Settlement Deed, which shall form part of the decree.

6. Pending application(s), if any, also stand disposed of.

ANIL KSHETARPAL, J

HARISH VAIDYANATHAN SHANKAR, J
OCTOBER 14, 2025/rk/rn/va