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

+ **FAO(OS) (COMM) 127/2026 & CM APPL. 31189/2026 & CM APPL. 31190/2026 & CM APPL. 31191/2026 & CM APPL. 31192/2026 & CM APPL. 31193/2026**

VADODARA MUMBAI EXPRESSWAY PKG 10 PVT. LTD.

.....Appellant

Through: Dr. Abhishek Manu Singhvi, Sr. Advocate, Mr. Dayan Krishnan, Sr. Advocate and Mr. Ravi Prakash, Sr. Advocate with Mr. Samir Malik, Mr. Varun Kalra, Mr. Aviskar Singhvi, Mr. Ved Prakash and Mr. Krishan Kumar, Advocates

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA.....Respondent

Through: Mr. Tushar Mehta, SG with Mr. Ankur Mittal, Mr. Abhay Gupta and Ms. Ipshita Dutta, Advocates

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

08.05.2026

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1. The issue which is sought to be canvassed pertains to the encashment of Bank Guarantee.
2. We have no hesitation to accept the statement coming on instructions from an Officer of the respondent namely Santosh Bajpai, General Manager, NHAI, that the Bank Guarantee already stands encashed in favour of the respondent.
3. That being so, the very cause for which the present appeal is filed has



been rendered infructuous.

4. The appeal accordingly stands disposed of.

5. We leave it open to the parties to take recourse to such remedy as is available in law.

6. Needless to clarify that we haven't appreciated the merits of the matter.

7. We permit the counsel for respondent to place on record the statement of account depicting the encashment of the Bank Guarantee during the course of the day.

8. Pending applications, if any, also stand disposed of.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

MAY 8, 2026
gs/av