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

+ W.P.(C) 15460/2022, CM APPL. 48098/2022 (Interim Stay)

DILIP BUILDCON LIMITED

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Adv.
and Mr. Jayant Mehta, Sr. Adv.
with Mr. Nilava
Bandyopadhyay, Mr. Anurag
Abhishek and Mr. Vijaya
Singh, Advs.

versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA & ANR.

..... Respondents

Through: Ms. Madhu Sweta and Ms.
Shivangi Khanna, Advs. for R-
1.
Mr. Siddharth Khatana, Adv.
for R-2.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

ORDER

14.11.2022

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1. Notice. Since the respondents are duly represented, let counter affidavits be filed within a period of six weeks from today. The petitioner shall have four weeks thereafter to file a rejoinder affidavit.
2. Prima facie the Court finds itself unable to sustain the order impugned bearing in mind the fact that pursuant to the show cause notice which was issued by National Highways Authority of India [NHAI] and to which the petitioner submitted a reply, hearing was granted by that authority. However, the ultimate order has come to be passed by Ministry of Road Transport and Highways of India [MoRTH] which had never heard the respondents.
3. Additionally, the Court takes into consideration the fact that while the Integrity Pact was executed on 17 May 2021, the First

Information Report [FIR] came to be registered subsequently on 30 December 2022. The matter requires consideration.

4. Till the next date of listing, there shall be stay of the impugned order dated 20 August 2022 passed by respondent No. 2.

5. List again on 24.04.2023.

YASHWANT VARMA, J.

NOVEMBER 14, 2022

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