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

+ **FAO(OS) (COMM) 72/2020**

ONGC PETRO ADDITIONS LIMITED Appellant

Through: Mr. Nakul Dewan, Sr. Advocate with
Mr. K.R. Sasiprabhu, Mr. Aditya
Swarup, Mr. Vishnu Sharma, Mr.
Tushar Bhardwaj, Ms. Nooren Sarna
and Ms. Mounika Donur, Advocates.

versus

TECNIMONT PRIVATE LIMITED & ANR. Respondents

Through: Mr. Karan Luthra and Ms. Ambika
Mathur, Advocates.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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22.08.2022

CM APPL 36046/2022(exemption)

1. Allowed, subject to all just exceptions.
2. Application is accordingly disposed of.

CM APPL. 36045/2022(directions)

3. By way of the present application, appellant seeks to direct the respondents to extend the following bank guarantees and keep them valid and alive for the period of pendency of O.M.P. (COMM) 424/2020 titled as '*ONGC Petro Additions Ltd. vs. Tecnimont S.P.A. & Anr.*':

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S. No.	Bank of Guarantee No.	Bank Name	Name of BGs	Expiry Date
1	171020560469-LA	Standard Chartered	ABG	12.08.2022
2	171020560450-LA	Standard Chartered	ABG	12.08.2022
3	DLG211/11	ING Bank N.V., Milan	PBG	12.08.2022
4	464840	BBVA Bank	PBG	12.08.2022
5	110126IBGP00064	IDBI Bank	PBG	14.09.2022

4. Learned counsel appearing on behalf of the respondents have informed this Court that the four bank guarantees have already been extended up to 12.11.2022 and fifth bank guarantee is valid till 14.09.2022.

5. Learned counsel for the respondents submits that the fifth bank guarantee which is valid up to 14.09.2022 shall be extended subject to the outcome of the decision of the learned Single Judge in O.M.P. (COMM) 424/2020 titled as '*ONGC Petro Additions Ltd. vs. Tecnimont S.P.A. & Anr.*'

6. In view of above, no order is required to be passed at this stage.

7. Application is accordingly disposed of.

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8. Renotify on 19.12.2022, the date already fixed.

SURESH KUMAR KAIT, J

SAURABH BANERJEE, J

AUGUST 22, 2022/So

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