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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO(OS) (COMM) 72/2020

ONGC PETRO ADDITIONS LIMITED Appellant

Through: Mr. K.R. Sasiprabhu, Mr. Aditya
Swarup, Mr. Vishnu Sharma, Mr. Tushar
Bhardwaj and Mr. Manan
Shisodia, Advocates

versus

TECNIMONT PRIVATE LIMITED & ANR. Respondents

Through: Mr. Karan Luthra, Advocate

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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16.11.2022

CM APPL. 49007/2022(for exemption)

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

CM APPL. 49006/2022 (for 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.*' :

S. No.	Bank of Guarantee No.	Bank Name	Name of BGs	Expiry Date
1	171020560469-LA	Standard Chartered	ABG	12.11.2022
2	171020560450-LA	Standard Chartered	ABG	12.11.2022
3	DLG211/11	ING Bank N.V., Milan	PBG	12.11.2022
4	464840	BBVA Bank	PBG	12.11.2022
5	110126IBGP00064	IDBI Bank	PBG	14.12.2022



4. Learned counsel appearing on behalf of respondents submits that the bank guarantee mentioned above at Sr. Nos.1 and 2 have already been extended upto 16.02.2023 and bank guarantee at Sr. No.4 has been extended upto 12.02.2023. Learned counsel for respondents further submits that he has no objection, if bank guarantee at Sr. No.5 which is valid upto 14.12.2022 is further 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.*'
5. Accordingly, in view of no objection from learned counsel for respondents, the bank guarantee mentioned above at Sr. No.5 is further extended subject to the outcome of the decision of the learned Single Judge in aforementioned O.M.P. (COMM) 424/2020.
6. Accordingly, the present appeal is disposed of.

SURESH KUMAR KAIT, J

SAURABH BANERJEE, J

NOVEMBER 16, 2022/rk