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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 394/2023, CM APPL. 1578/2023, CM APPL. 53168/2023**
& CM APPL. 64972/2023

M/S NOMA INFRASTRUCTURE PVT. LTD.Petitioner

Through: Ms. Madhavi Divan, Sr. Advocate
with Dr. Bharat Nagar & Ms. Aishani
Narain, Advocates.

versus

UNION OF INDIA, MINISTRY OF RAILWAYS
& ANR.Respondents

Through: Ms. Pratima N. Lakra, CGSC with
Mr. Chandan Prajapati & Mr.
Shailendra Kumar Mishra, Advocates.

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
15.07.2025

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1. Learned Senior Counsel for the Petitioner, on instructions, submits that after an examination of the Affidavit dated 14.05.2025 filed by the Respondents, only a few issues remain which require a resolution between the parties, prior to the initiation of arbitral proceedings.
2. Learned Senior Counsel for the Petitioner, on instructions and without prejudice, submits that the Petitioner is agreeable to deposit a sum of Rs.5 crores with the Respondent No.1 in the interim period. The deposit will be subject to any award that is passed in the arbitration proceedings between the parties. Secondly, it is submitted that the subject matter in dispute, which are the 'Railway Rake(s)', which are at present in the possession of the



Respondent No.1, should be repaired, and in the event that the repair is to be carried out by the Respondent No.1/Railways, prior to finalization of a quote for repairs, the quote should be communicated to the Petitioner.

2.1 Learned Senior Counsel for the Petitioner submits that once repaired, the Railway Rakes would become available for plying on the Railway tracks to generate revenue both for the Petitioner as well as for the Respondent No.1.

2.2 It is further clarified that the sum of Rs.5 crores that will be deposited by the Petitioner will be raised against collateral of asset(s) which do not include the Railway Rakes in issue.

3. Learned Counsel for the Respondents submits that there have already been meetings between the parties, however, she would need some time to take instructions on the proposal as recorded by this Court today.

4. With a view to facilitate a resolution, let the parties also schedule a meeting on 28.07.2025 at 3:30 PM in the office of Railway Board, Rail Bhawan, Raisina Road, New Delhi – 110001.

4.1 The minutes of the meeting shall be placed on record by the Respondent No.1, at least three days before the next date of hearing.

5. List on 26.08.2025.

6. The parties shall act based on the digitally signed copy of the Order.

TARA VITASTA GANJU, J

JULY 15, 2025/ ha