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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10397/2022 & CM APPL. 29988/2022.**

CANARA BANK

..... Petitioner

Through: Mr. PBA Srinivasan, Mr. Parth D. Tandon and Ms. Perna Sabharwal, Advocates.

versus

NATIONAL HIGHWAY AUTHORITY OF INDIA & ORS.

..... Respondents

Through: Ms. Ruchi Chauhan, Mr. Santosh Kumar and Mr. Daksh Arora, Advocates for R-1.
Mr. Yashu Rustagi, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

11.07.2022

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1. Petitioner is aggrieved that Respondent No. 1 has not accepted the termination claim of the Petitioner. It has been argued that the entire basis for not accepting Petitioner's claim is premised on the contention that the additional facility of Rs. 79.50 crores was not approved by NHAI. This according to the Petitioner, is misconceived as the communication dated 28th January, 2010 (Annexure P-7) clearly accorded approval for grant of Rs. 79.50 crores as additional term loan to Jalandhar Amritsar Tollways Limited (SPV).

2. Issue notice. Ms. Ruchi Chauhan, counsel for the Respondent No. 1



and Mr. Yashu Rustagi, counsel for the Respondent No. 3, accept notice. Counter affidavit to the present petition is filed within a period of four weeks from today. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

3. Issue notice to the remaining Respondents, by all permissible modes, upon filing of process fee, returnable on 20th September, 2022.
4. At request, counsel for the Petitioner is permitted to replace Annexure P-2 with a fresh one within a period of one week from today.
5. Re-notify on 20th September, 2022.

SANJEEV NARULA, J

JULY 11, 2022

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