

# Lite Bite Foods Private Limited vs Airports Authority Of India on 13 April, 2021

**Bench: N.V. Ramana, Surya Kant, Aniruddha Bose**

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ITEM NO.2

Court 2 (Video Conferencing)

SECTION XI-

S U P R E M E C O U R T O F  
RECORD OF PROCEEDINGS

I N D I A

Petitions for Special Leave to Appeal (C)

No.4355-4356/2021

(Arising out of impugned final judgment and order dated 15-01-2021 in RP No. 988/2020 and order dated 24-11-2020 in AA No. 1/2020 passed by the High Court of Kerala at Ernakulam)

LITE BITE FOODS PRIVATE LIMITED

Petitioner(s)

VERSUS

AIRPORTS AUTHORITY OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.37401/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 13-04-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA  
HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s)

Mr. Gaurav Pachnanda, Sr. Adv.  
Mr. Sanjeev K. Sharma, Adv.  
Mr. Anirudh K. Gandhi, Adv.  
Ms. Arunav G. Roy, Adv.  
Namrata Sinha, Adv.  
Mr. Akhil Anand, AOR

For Respondent(s)

Ms. Pinky Anand, Sr. Adv.  
Mr. Ashwarya Sinha, AOR  
Ms. Shubhi Sharma, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The Court is convened through Video Conferencing.

Heard learned Senior counsel appearing for the parties.

Taking into consideration the facts and circumstances of the case, learned Senior counsel appearing for the petitioner submits that he is willing to withdraw the Arbitration Appeal No.1 of 2020 pending before the High Court of Kerala at Ernakulam and intends to approach the Arbitral Tribunal for interim injunction, not to encash the Bank Guarantee, where the matter is stated to be pending, and seeks protection only for a limited period.

In view of the above, we direct Respondent No. 1 not to encash the Bank Guarantee given by the petitioner, for a period of six weeks from today, to enable them to avail the remedy of approaching the Arbitral Tribunal, subject to withdrawal of appeal by them.

With the above observation, the Special Leave Petitions are disposed of.

Pending application filed in the matters also stands disposed of.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(RAJ RANI NEGI)  
DY. REGISTRAR