

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 392 OF 2001  
WITH  
CIVIL APPLICATION (ST) NO.13693 OF 2013  
AND  
FIRST APPEAL NO. 392 OF 2001**

M/s.B.G.Shirke Construction Technology Pvt. Ltd. ... Applicant.  
In the matter of :

Kusum Agrotech Proprietor ... Appellant.  
Kusum Products Ltd.  
Versus.

M/s.B.G.Shirke Construction Technology Pvt. Ltd. ... Respondent.

.....

Mr.Sukand R.Kulkarni, Advocate for Applicant.  
Adv.Nilesh Ukey a/w.Gajanan Shinde i/b.Thakore Jariwal & Associates,  
Advocate for Respondent/Original Appellant.

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**CORAM :MRS.MRIDULA BHATKAR, J.**

**DATE:24<sup>th</sup> DECEMBER 2013**

**PC. :**

Registry to register the application as the objection is removed.

Learned counsel submits that this application is moved by the respondent/applicant seeking permission to withdraw the bank guarantee No.BOM 0003/BG No.255/09. Learned counsel submits that as three years are expired, the previous bank guarantee is over. In view of the submissions of the learned counsel for the application, application is

allowed in terms of prayer clause (c). It is also specifically mentioned that sufficient bank guarantee be produced within four weeks from today.

**( MRS. MRIDULA BHATKAR, J. )**