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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.2678 OF 2008
IN
SUIT NO.1078 OF 2008**

Jog Engineering Ltd. ...Plaintiff
vs
Shivashahi Punarvasan Prkalp Ltd. And Anr. ...Defendants

.....

None for the Plaintiff.

Mr. Vishal Kanade, i/b. M/s. Kanga & Co., for Defendant No.1.

Mr. Vaibhav Kamble, i/b. Mr. Sachin Joshi, for Defendant No.2.

.....

CORAM : S.C. GUPTE, J.

DATED : JANUARY 19, 2015

P.C. :

. The Notice of Motion is taken out by the Plaintiff *inter alia* for restraining invocation of two performance bank guarantees described in prayer clause (c) to the Notice of Motion.

2. None appears for the Plaintiff. On the last couple of occasions also none had appeared for the Plaintiff. Learned Counsel for Defendant No.1 states that the performance bank guarantees have already been encashed. Nothing, therefore, survives in the Notice of Motion. The Notice of Motion is dismissed. There shall be no order as to costs.

3. Place the suit for directions on 6 February 2015.

(S.C. GUPTE, J.)