

(SHOW CAUSE NOTICE BEFORE ADMISSION)

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

(Special Original Jurisdiction)

FRIDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WP :6353 of 2015

Between:

M/s. K.V.R. Rail Infra Projects Private Limited, Rep. by its Chief Executive Officer
and Vice President - Project, Mr. Amith Bansal S/o. S.K. Gupta, 12-5-34-35/1,
Vijayapuri, South Lalaguda, Secunderabad.

..... Petitioner

AND

- 1 M/s. Axis Bank Limited, Credit Management Centre, Hyderabad at
Tarnaka, Hyderabad, Plot No.12-5-149/17, Tarnaka, Secunderabad.
- 2 M/s. Raichur Power Corporation Limited, Rep. by its Managing Director,
22/23, Sudarshan Complex, 1st floor, Seshadri Road, Bangalore.

.....Respondents

WHEREAS the Petitioner above named through its Advocate SRI S.SRIDHAR presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed here in the High Court may be pleased to issue any writ, order or direction more in the nature of Writ of Mandamus or any other appropriate writ and direct the 1st respondent not to make payment of the amounts covered by BG.Nos.00270100001724 and 00270100001725, dated 08.07.2014 to the 2nd respondent as the validity of the said bank guarantees had expired by 15.02.2015 and as no demand for encashment was made by the authorized officer of the 2nd respondent and grant.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI S.SRIDHAR, Advocate for the Petitioner, and directed issue of notice to the Respondents herein to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition.

You viz;

- 1 M/s. Axis Bank Limited, Credit Management Centre, Hyderabad at
Tarnaka, Hyderabad, Plot No.12-5-149/17, Tarnaka, Secunderabad.
- 2 The Managing Director, M/s. Raichur Power Corporation Limited,
22/23, Sudarshan Complex, 1st floor, Seshadri Road, Bangalore.

are directed to show cause as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this writ petition should not be admitted.

W.P.M.P.No. 8443 OF 2015

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to direct the 1st respondent not to make payment of the amounts covered by BG.Nos.00270100001724 and 00270100001725, dated 08.07.2014, to the 2nd respondent, pending disposal of Writ Petition No. 6353 of 2015 on the file of the High Court.

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THE COURT MADE THE FOLLOWING ORDER:

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Notice before admission.

Learned counsel for the petitioner is also permitted to take out personal notice to the respondents by RPAD and file proof of service.

There shall be interim direction as prayed for, for a period of two (2) weeks, if the payment has not already been made by respondent No.1/Bank.

Post after two (2) weeks.

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1 M/s. Axis Bank Limited, Credit Management Centre, Hyderabad at Tarnaka, Hyderabad, Plot No.12-5-149/17, Tarnaka, Secunderabad.
- 2 The Managing Director, M/s. Raichur Power Corporation Limited, 22/23, Sudarshan Complex, 1st floor, Seshadri Road, Bangalore. (1 & 2 by RPAD along with a copy of petition and affidavit)
- 3 One CC to SRI S.SRIDHAR, Advocate (OPUC)
- 4 One spare copy.

SRL

HIGH COURT

CKR,J

DATED: 13.03.2015

NOTE: POST AFTER TWO (2) WEEKS.

NOTICE BEFORE ADMISSION

W.P.NO. 6353 OF 2015

INTERIM DIRECTION

HIGH COURT

Drafted by: SRL

Date of Drafting : 16.03.2015

CKR,J

DATED: 13.03.2015

NOTE: POST AFTER TWO (2) WEEKS.

NOTICE BEFORE ADMISSION

W.P.NO. 6353 OF 2015

INTERIM DIRECTION