

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **CS(OS) 1437/2014 & IA No.9472 & 9473/2014**

Decided on 22.01.2015

IN THE MATTER OF :

M/S ENGINEERING PROJECTS (INDIA) LTD.

..... Plaintiff

Through: Mr.J.P.Sengh, Sr.Advocate with
Mr.Manoj K.Das, Advocate

versus

INDIAN OVERSEAS BANK & ANR.

..... Defendants

Through: Mr. Karan Khanna and Ms.Asmita Kumar
Advocates for D-1

Mr.Manish Mohan, CGSC, Ms.Manisha Rana Singh
Mr.Gaurav Sharma & Ms.Hina Shaheen, Advocates
for D-2

CORAM

HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J. (Oral)

1. On the last date of hearing, learned counsel for the defendant No.2/CPWD had handed over a copy of the Circular dated 7.8.2014 issued by the Ministry of Law & Justice, Government of India, informing all the Ministries, Departments and PSUs that they should desist from initiating inter-ministerial/departmental litigation in the courts of law and instead, try to resolve their disputes amicably through mutual consultation through the Empowered Agencies of the Government or through arbitration and if the same does not get resolved, then the said dispute be referred, in the first instance, to the Cabinet Secretariat and if necessary,

to the PMO. A copy of the aforesaid Circular is handed over by learned counsel for the defendant No.2/CPWD and is taken on record.

2. Mr.Sengh, learned Senior Advocate appearing for the plaintiff states that the briefing counsel had sought time to obtain instructions/clarifications from his client and now clarifications have been obtained. He seeks leave to withdraw the present suit, while reserving the right of the plaintiff to seek its remedies, in respect of the subject dispute, before the forum mentioned in the Circular dated 7.8.2014.

3. Leave, as prayed for, is granted. The suit is disposed of, alongwith the pending applications.

JANUARY 22, 2015
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(HIMA KOHLI)
JUDGE