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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO(OS) 102/2015 & CM 4012/2015**

M/S PATNA WATER SUPPLY DISTRIBUTION NETWORKS

PVT LTD THR ITS DIRECTOR

..... Appellant

Through : Mr S. D. Singh with Mr Rahul Singh,
Mrs Surbhi Shukla and Mr Vijay Pratap Singh

versus

UNITED BANK OF INDIA & ANR

..... Respondents

Through : Mr Pankul Nagpal for R-1.
Ms Shilpa Singh for R-2.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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07.08.2015

The learned counsel for the respondent No. 2 has taken instructions and states, on instructions from Mr Mehtab Alam, Finance Officer, who has been authorized by the Managing Director, BUIDCO, that the letter of invocation dated 23.07.2014 would be withdrawn in view of the technical objection raised by the appellant, which has been noted in our order dated 03.03.2015, that the invocation is not in terms of the bank guarantee.

In view of this, the appeal does not survive any further. The parties are free to act under the bank guarantee in accordance with law. The interim order stands vacated on the express condition that the invocation letter shall be withdrawn.

The appeal stands disposed of.

Dasti.

BADAR DURREZ AHMED, J

**AUGUST 07, 2015
SR**

SANJEEV SACHDEVA, J