

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20462 of 2011

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National Aluminium Company Limited Through Its Dy, General Manager
(Finance) Of Captive Power Plant Division And Smelter Division, Captive Power
Plant P.O. Angul, District Angul, Orissa

.... Petitioner/s

Versus

1. The State Bank Of India , Gaya Branch Gaya Through Its Manager D.B.F. Gaya
2. Regional Manager, State Bank Of India, Gaya
3. M/S Kalinga Consultancy And Construction Company Pvt. Ltd. Through Rakesh
Shrivastava Director Having Its Registered Office At Angul Puri Colony, P.O. &
P.S. Gaya, District Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Arshad Alam, Adv.

For the Respondent/s : MR. Satyadarshi Sanjay, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-04-2016

The present writ petition has been filed for quashing the memo no. 252 dated 16.07.2011 sent by Regional Manager S.B.I., Gaya by which the petitioner's claim for payment of interest for the delay in release of its two Bank guarantees has been rejected.

2. Having heard learned counsel for the petitioner and on perusal of the reasons stated in the impugned speaking order passed in pursuance of the order of this Court dated 31.03.2011 in C.W.J.C. No. 14061 of 2004, by which the respondent Bank has denied its liability to pay interest in the backdrop of the restraint order in the Arbitration proceeding, this Court is not inclined to interfere in the matter in its extraordinary writ

jurisdiction.

3. The writ petition is accordingly disposed, granting liberty to the petitioner to approach the appropriate forum as may be available to it in accordance with law for redressal of its grievances.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	27.04.2016
Transmission Date	