

\$~34&35

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

+ W.P.(C) 1559/2016 & CM No.6710/2016 (for stay)

JITF WATER INFRASTRUCTURE LTD Petitioner

Through: Mr. A.S. Chandhiok, Sr. Adv. with
Ms. S. Upadhyay, Mr. Rajesh
Chhetri, Ms. Meenakshi Rawat & Mr.
Rajeev Chhetri, Advs.

Versus

DELHI JAL BOARD Respondent

Through: Mr. Gaurang Kanth with Ms. Biji
Rajesh & Mr. Mrinal Beri, Advs.

AND

W.P.(C) 1560/2016 & CM No.6712/2016 (for stay)

JITF WATER INFRASTRUCTURE LTD Petitioner

Through: Mr. A.S. Chandhiok, Sr. Adv. with
Ms. S. Upadhyay, Mr. Rajesh
Chhetri, Ms. Meenakshi Rawat & Mr.
Rajeev Chhetri, Advs.

Versus

DELHI JAL BOARD Respondent

Through: Mr. Gaurang Kanth with Ms. Biji
Rajesh & Mr. Mrinal Beri, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

23.02.2016

1. This order is in continuation of yesterday's order.
2. Upon the counsel for the respondent Delhi Jal Board (DJB) in his arguments in reply to the arguments of the senior counsel for the petitioner pointing out that the petitioner has along with these petitions filed and relied upon selective pages of the Notice Inviting Tender and concealed/suppressed the clauses following immediately after the clauses excerpts of

which have been filed before this Court and which clauses have a bearing on the matter in controversy and upon this Court expressing displeasure at the practice adopted, the senior counsel for the petitioner under instructions withdraws the petitions.

3. Dismissed as withdrawn.

4. The Banks concerned i.e. Axis Bank Ltd., Punjab National Bank and Syndicate Bank which had issued the Bank Guarantees (BGs) and which BGs have been invoked, to forthwith pay to the respondent DJB the monies under the BGs.

5. This payment under the BGs shall however be without prejudice to the rights of the petitioner to take remedies in accordance with law for recovering back the said amounts by proving that the BGs have been wrongly invoked.

Dasti under signature of the Court Master.

RAJIV SAHAI ENDLAW, J

FEBRUARY 23, 2016

‘gsr’ ..