

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMMERCIAL SUIT (L) NO. 300 OF 2017**

|                                              |               |
|----------------------------------------------|---------------|
| Shapoorji Pallonji Energy (Gujarat) Pvt.Ltd. | ...Plaintiff  |
| vs.                                          |               |
| ICICI Bank Ltd. & Anr.                       | ...Defendants |

Mr.Malcolm Desai for Plaintiff.

**CORAM : S.C. GUPTE, J.**

**12 JULY 2017**

**P.C. :**

Learned Counsel for the Plaintiff seeks leave to withdraw the suit as the bank guarantee, which is the subject matter of the present suit, has already been encashed and the suit is, thus, rendered infructuous.

2            Learned Counsel submits that the subject matter of this dispute is presently before the Gujarat Electricity Regulatory Commission. All rights and contentions of the parties on merits are kept open, to be agitated before the GERC.

3            The suit dismissed as withdrawn. No order as to costs. Refund of court fees in accordance with the applicable rules.

**(S.C. Gupta, J.)**