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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(I) (COMM.) 18/2017

URC CONSTRUCTION PRIVATE LIMITED Petitioner
Through: Mr. Tarun Sharma with Mr. Boudh
Prabha and Ms. Akanksha Kapoor, Advocates.

versus

ENGINEERS INDIA LIMITED & ANR Respondents
Through: Ms. Rashmeet Kaur, Ms. Manalisha
Choudhury and Ms. Romila Joshi, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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13.01.2017

IA No. 440/2017 (for exemption)

1. Allowed subject to all just exceptions.

OMP (I) (COMM) 18/2017 & IA 439/2017 (interim direction)

2. Ms. Rashmeet Kaur, learned counsel for the Respondents appearing on advance notice informs the Court that the final bill submitted by the Petitioner is under process and even the decision as regards the final extension of time has not yet been taken. Ms. Kaur submits that in the circumstances the present petition seeking stay of invocation of the bank guarantee (BG) in question is pre-mature.

3. The Court further notes that there is no letter in the recent past by the

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Respondents to the Bank concerned seeking to invoke the BG which in any event has been kept renewed by the Petitioner.

4. In the circumstances, the Court finds that no reason to entertain the present petition. Nevertheless it is directed that if the Respondents seeks to invoke the BG in question, one week's advance notice will be issued to the Petitioner. This is of course subject to the Petitioner keeping the said BG alive.

5. The petition and the pending application are disposed of in the above terms. Order be given *dasti*.

S. MURALIDHAR, J

JANUARY 13, 2017

Rm