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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P. 457/2009**

M/S ERA LANDMARK(I) LIMITED Petitioner
Through: None

versus

SH. DHANROOP MAL MEHTA Respondent
Through: Mr. Abhishek Sharma, Adv.

CORAM:

SH. RAVINDER SINGH (DHJS), JOINT REGISTRAR (JUDICIAL)

ORDER

% **18.04.2018**

IA. No.1210/2018 (for return of bank guarantee along with extension letters)

By this application, the applicant/respondent seeks return of original Bank Guarantee bearing no.5/2009 dated 31.10.2009 for Rs.75 Lakhs along with extension letters qua the Bank Guarantee bearing no.5/2009 filed from time to time.

It is seen from the record that the Hon'ble Court vide orders dated 21.10.2016 and 27.02.2017, had already directed the Registry to release the Bank Guarantee bearing no.5/2009 dated 31.10.2009 for Rs.75 Lakhs along with extension letters to the applicant/respondent.

Accordingly, the application stands disposed off with a direction to the Registry to release the aforesaid Bank Guarantee alongwith extension letters thereof to the applicant/respondent after proper acknowledgment.

IA. No.1298/2018 (u/S 151 CPC for taking on record extension letter dated 09.01.2018 of bank guarantee bearing no. 0404-BG0002)

Considering the averments made in the application and submissions made on behalf of applicant/respondent, the application is allowed.

The extension letter dated 09.01.2018 in respect of bank guarantee bearing no.0404/BG0002 for Rs.75,00,000/- valid upto 12.08.2018 annexed

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to this application (Annexure-A-1) is taken on record.

The application stand disposed of.

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Mr. Raj Kumar Bunkar, Sr. Manager at Punjab & Sind Bank, 215, Shakti Nagar, Udaipur, Rajasthan-313001 is present for verification of renewal/extension of bank guarantee for Rs.75,00,000/- by way of extension letter dated 09.01.2018 filed on behalf of respondent.

Statement of bank official with regard to renewal/extension of bank guarantee bearing no.0404-BG0002-17 dated 13-2-2017 for a sum of Rs.75,00,000/- valid upto 12.08.2018 issued in favour of Registrar General, Delhi High Court recorded. Certified copy of bank guarantee is also on record. Same is Ex. P-3. The extension letter dated 09.01.2018 is Ex.P-4.

Respondent is also present in person. His statement is also recorded separately. The bank official as well as respondent is identified by ld. counsel for respondent. Statement of ld. counsel for petitioner is also recorded separately.

Having regard to the statement of bank official, the certified copy of bank guarantee (Ex.P-3) and extension letter thereof (Ex.P-4) filed on behalf of respondent are hereby accepted.

Registry is directed that in case the Bank Guarantee (Ex.P-3) for Rs.75,00,000/-is not renewed or extension letter thereof is not filed by the respondent at least four weeks before its expiry, the Registry shall place the file for necessary action at least three weeks before the expiry of the above bank guarantee.

**RAVINDER SINGH (DHJS)
JOINT REGISTRAR (JUDICIAL)**

APRIL 18, 2018/kr

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