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

+ O.M.P.(I) (COMM.) 245/2017

VED PRAKASH MITHAL & SONS

..... Petitioners

Through: Mr. Peeyoosh Kalra with Mr. Shiva
Sharma, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ANR. Respondents

Through: Mr. Sanjeev Sabharwal, Standing
Counsel with Mr. Sachin Kumar, AE,
DDA

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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19.07.2017

1. The petitioner has filed this petition seeking restraint on the respondents from invoking/encashing the bank guarantee dated 09.12.2016.

2. The bank guarantee was sought to be invoked on account of theft of certain items from the site where the petitioner was working. Pending the petition, the petitioner had agreed to restore the stolen items. The petitioner has restored the stolen items

3. Learned counsel for the respondents submits that since the petitioner has restored all the stolen items, the cause for invocation of bank guarantee does not survive any further.

4. Learned counsel for the respondents, under instructions from Mr. Sachin Kumar, AE, IV, ND-II, DDA submits that the respondent had decided to withdraw the invocation letter.
5. The statement is taken on record.
6. Since the respondents have decided to withdraw the invocation letter, no further cause survive in the petition. The respondents shall communicate the withdrawal of the invocation letter to Vijaya Bank, Kamla Nagar Branch, Delhi.
7. The petition is accordingly disposed of.
8. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

JULY 19, 2017

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