

\$~5&6

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 604/2006, IA No.4041/2006 (u/O XXXIX R-1&2 CPC) & IA
No.4042/2016 (u/O XXXIX R-1&2 CPC)
EARTHTECH ENTERPRISES LTD. Plaintiff

Through: None.

Versus

RENFREW SECURITY BANK & TRUST
(OFFSHORE) LTD. & ORS. Defendants

Through: Mr. Gautam Gupta, Adv. for D-
2/UBI.

Mr. Abhishek Bhardwaj, Adv. for D-3.

AND

CS(OS) 605/2006, IA No.4044/2006 (u/O XXXIX R-1&2 CPC) & IA
No.4045/2006 (u/O XXXIX R-1&2 CPC)
EARTHTECH ENTERPRISES LTD. Plaintiff

Through: None.

Versus

RENFREW SECURITY BANK & TURST
(OFFSHORE) LTD. & ORS. Defendants

Through: Mr. Gautam Gupta, Adv. for D-
2/UBI.

Mr. Abhishek Bhardwaj, Adv. for D-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

10.12.2018

1. The plaintiff instituted these two suits, for (i) specific performance of letters of credit; (ii) in the alternative, for recovery of money; (iii) for declaration of violation by the defendants no.3&4 in each of the suits of the Reserve Bank of India Guidelines governing Merchandise Trade Transactions; and, (iv) consequential declaration that the other defendants and not the plaintiff is liable for the consequences of default of aforesaid

guidelines.

2. The suits were entertained and have been pending for completion of pleadings etc. at the pre-issue stage.
3. The counsel for the plaintiff, on 31st October, 2018 when the suits were listed before the Joint Registrar, stated that he wanted to withdraw his vakalatnama as he was not receiving instructions from the plaintiff. On request of the counsel for the plaintiff, the suits were posted before this Court for today.
4. Today none appears for the plaintiff.
5. The counsel for the NAFED Agricultural Co-operative Marketing Federation of India Ltd. and the counsel for Union Bank of India, defendants in both the suits, only appear.
6. The counsel for NAFED Agricultural Co-operative Marketing Federation of India Ltd. states that the requisite court fees on the monetary claim have also not been paid in the suits.
7. Be that as it may, dismissed in default.

RAJIV SAHAI ENDLAW, J

DECEMBER 10, 2018

‘gsr’..