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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 521/2016 & I.A. 10030/2014

ERA INFRA ENGINEERING LTD

..... Plaintiff

Through: None.

versus

BANK OF INDIA & ANR

..... Defendants

Through: Mr. Shubham Saxena, Ms. Kritika Shukla, Advocates for R-1 (M-9654156410)

Mr. Rajiv Bansal, Senior Advocate with Mr. Dhanesh Relan, Standing counsel for DDA & Ms. Parul Panthi, Advocate (M-8557077641)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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19.12.2018

The present suit was filed seeking a declaration to the effect that the letter of invocation dated 28th March, 2014 invoking the performance bank guarantee submitted by the Plaintiff as being illegal, arbitrary and not binding, as also a mandatory injunction and recovery of sum of Rs.6.86 crores.

It is submitted that no injunction was granted in this matter and issues were framed on 10th April, 2017. No evidence has also been led by the Plaintiff since the framing of the issues. The Plaintiff has stopped appearing in the matter on the last four occasions.

Learned counsel for the DDA also submits that a writ petition had been preferred by the Plaintiff challenging the invocation, which was

withdrawn.

None appears for the Plaintiff even today. The suit is, thus, dismissed for non-prosecution.

PRATHIBA M. SINGH, J.

DECEMBER 19, 2018/*Rahul*