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

+ **W.P.(C) 7390/2018**

M/S TOPWORTH URJA AND METALS LTD. Petitioner

Through: Mr Ratan K. Singh, Mr Suraj Prakash,
Mr Gaurav, Mr Aishwary Kumar
Tiwari and Mr Aman, Advocates.

versus

UNION OF INDIA AND ORS Respondents

Through: Ms Maninder Acharya, ASG, Mr
Ripu Daman Bhardwaj, CGSC, Mr
Sahil Sood, Mr Harshul Choudhary,
Mr Viplav Acharya and Mr Sambhav
Jain, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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19.07.2018

CM No.28250/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 7390/2018 & CM No.28249/2018

2. The petitioner has filed the present petition, *inter alia*, praying as under:-

“a) issue a writ in the nature of certiorari or any other appropriate writ, order or direction under Article 226 of the Constitution of India thereby quashing the show cause notice dated 9 July 2018 by Respondents No.2 to the Petitioner.

b) Issue a writ in the nature of prohibition or any other appropriate writ, order or direction under Article 226 of

the Constitution of India thereby prohibiting Respondent No.2 from invocation of the Bank Guarantees having Numbers 0159315BG0000118 and 0159317BG000048 for the reasons stated in its show cause notice dated 09.07.2018.”

3. The learned counsel appearing for the petitioner points out that the petitioner has already responded to the aforesaid show cause notice dated 09.07.2018. Ms Acharya, learned ASG appearing for the respondent states that the said response would be considered in accordance with law and appropriate decision would be taken thereon. She further states that the decision whether to invoke the bank guarantees would depend on the said decision.

4. In view of the above, no further orders are required to be passed in this petition. The same is disposed of leaving it open for the petitioner to challenge any decision taken by the concerned authority pursuant to the show cause notice dated 09.07.2018, in accordance with law.

VIBHU BAKHRU, J

JULY 19, 2018
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