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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 340/2018**
EMCO LTD

..... Petitioner
Through Mr. Darpan Wadhwa, Sr. Adv. with
Ms. Poonam Verma and Ms. Abiha
Zaidi, Advs.

versus

DELHI TRANSCO LTD & ANR.

..... Respondents
Through Mr. Prashant Mehta, Ms. Neha
Tanwar and Mr. Vikram Pradeep,
Advs. for R-1.
Mr. Arun Aggarwal and Ms. Anindya
Prasad Konar, Advs for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **30.08.2018**

I.A. No.11561/2018 & O.M.P.(I) (COMM.) 340/2018

1 After some arguments, Mr. Wadhwa, learned senior counsel, seeks leave to withdraw the captioned application in view of the fact that the money represented by the subject bank guarantee has already been transmitted to respondent No.1. Mr. Wadhwa, however, seeks liberty to move an appropriate application before the appropriate forum for calling upon respondent No.1 to furnish the adequate security qua its claim (s).

2 Accordingly, the captioned application is dismissed as withdrawn with liberty as prayed for.

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3 Needless to say, if such an application is moved, it will be open to respondent No.1 to raise all defences and/or for contentions before the appropriate forum.

4 In view of the order passed in I.A. No.11561/2018, nothing survives in main petition i.e. OMP (I) (Comm) No.340/2018. Consequently, the same is also put on board and, accordingly, dismissed.

5 Resultantly, the date already fixed in the main petition i.e. 10.09.2018 shall stand cancelled.

RAJIV SHAKDHER, J

AUGUST 30, 2018

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