

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 360 OF 2018

M/s Gordhandas Gobindram through its Partners Shri Jairaj S/o Gordhandas
Jadwani and Amritlal s/o Govindram Jadwani through Power of Attorney
Holder

...Versus...

Union of India, through General Manager, Central Railway, Mumbai CST and
others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri A.B. Patil, Counsel for petitioner
Shri V.M. Gadkari, Counsel for respondents

CORAM : AVINASH G. GHAROTE, J.

DATE : 28/02/2020

1. Mr. A.B. Patil, learned Counsel for the petitioner submits, that this Court while issuing notice on 22/01/2018, had granted an interim order, by which the respondents were restrained from encashing the bank guarantee until further order. He submits that already a period of two years has passed and it would be beneficial for both the parties, if the interim order is continued and the suit is directed to be decided within a period of six months by keeping the bank guarantee alive.

2. Mr. Gadkari, learned Counsel appearing for the respondents, agrees to this proposition, in light of which the writ petition is disposed of in the following terms.

(A) The Trial Court shall decide Regular Civil Suit No.34/2015 (M/s Gordhandas Gobindram, through its partners : Shri Jairaj s/o Goverdhandas Jadwani and Shri Amritlal s/o Gobindram Jadwani Vs Union of India, Through General Manager, Central Railway, Mumbai CST and others) on merits within a period of six months from today. The parties shall co operate with the Trial Court, in deciding the suit within the aforesaid time.

(B) The interim order passed on 22/01/2018, by this court, restraining the respondents from encashing the bank guarantee shall continue to operate for a period of six months from today.

(C) The petitioner shall ensure, that the bank guarantee is alive and operating for the above period.

The writ petition therefore is accordingly disposed of in the above terms. No order as to costs.

JUDGE