

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 29095 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“....to issue Writ of Mandamus or any other appropriate writ declaring that the action of the 1st Respondent in proceeding to encash the Bank Guarantee furnished by the Petitioner i.e., i) Bank Guarantee For Erection Bearing No. 000694IG150000077 dated 02/11/2015 for Rs.1,14,23,971/- (Rupees One Crore Fourteen Lakhs Twenty Three Thousand Nine Hundred and Seventy One Only) as extended from time to time and last extended on 28/10/2019 and ii) Bank Guarantee for Supply Bearing No.000694 IG150000078 dated 07/11/2015 for Rs.2,02,81,444/- (Rupees Two Crores Two Lakhs Eighty One Thousand Four Hundred and Forty Four Only) as extended from time to time and last extended on 28/10/2019 vide its invocation Letter dated 26/12/2019 and consequently set aside the same as arbitrary and illegal and direct the 1st Respondent to forbear from claiming encashment of the said bank guarantee and other bank guarantees submitted by the Petitioners under the other projects.”

When the matter is taken up, learned counsel for petitioner submits that invocation letter dated 26.12.2019, which is impugned in this Writ Petition, has been withdrawn by the first respondent – M/s. NTPC Limited, New Delhi, rep. by its Chairman & Managing Director, who informed the same to the petitioner through Email dated 30.12.2019, and therefore, he prays for closure of the Writ Petition. He places before this Court a Memo dated 03.01.2020 to that effect.

Learned Standing Counsel for Smt. G. Sudha, learned Standing Counsel for M/s. NTPC Limited appearing for the first respondent does not dispute the aforesaid submission.

In those circumstances, this Writ Petition is closed by placing on record the memo dated 03.01.2020.

Miscellaneous Petitions, if any pending, shall stand closed. There shall be no order as to costs.

3rd JANUARY, 2020.

CHALLA KODANDA RAM, J

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