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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 326/2019

GANNON DUNKERLEY & CO LTD Petitioner

versus

THAUMAS INFRASTRUCTURE LIMITED Respondent

+ O.M.P.(I) (COMM.) 327/2019

GANNON DUNKERLEY & CO LTD Petitioner

versus

ELENA POWER AND INFRASTRUCTURE
LIMITED Respondent

+ O.M.P.(I) (COMM.) 328/2019

GANNON DUNKERLEY & CO LTD Petitioner

versus

ELENA POWER AND INFRASTRUCTURE
LIMITED Respondent

+ O.M.P.(I) (COMM.) 329/2019

GANNON DUNKERLEY & CO LTD Petitioner

versus

SINNAR THERMAL POWER LIMITED Respondent

+ O.M.P.(I) (COMM.) 330/2019

GANNON DUNKERLEY & CO LTD
versus

..... Petitioner

INDIABULLS INFRASTRUCTURE
COMPANY LIMITED

..... Respondent

Present: Mr. Praveen Kumar Singh, Mr. Sujit Kumar, Md. Ziauddin Ahmad & Mr. Karan Bhardwaj, Advocates for the petitioner
Mr. Rajat Navet & Ms. Kushagra Pandit, Advocates for the respondent

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
% **29.01.2020**

Learned counsel for the respondent had taken a preliminary objection in the reply that the petitions have been filed prematurely as in fact there has been no invocation of the Bank Guarantees in question bearing Nos. 09020004414, 09020004314 dated 19.03.2014 for Rs. 2.78 crores and Rs. 3.15 crores respectively in O.M.P.(I) (COMM.) 326/2019, 110004IBGA00181 dated 03.06.2011 for Rs. 20,15,10,000/- in O.M.P.(I) (COMM.) 327/2019, 2010/49, 2010/51, 2010/47 dated 14.08.2010 for Rs. 6,40,00,000/- in O.M.P.(I) (COMM.) 328/2019, 2010/50, 2010/52, 2010/48 dated 14.08.2010 for Rs. 6,40,00,000/- in O.M.P.(I) (COMM.) 329/2019 and 110126IBG00094 dated 28.09.2011 for Rs. 7,63,56,160/- in O.M.P.(I) (COMM.) 330/2019.

Learned counsel for the petitioners fairly submits that since there is no invocation of the Bank Guarantees at present, he has instructions to withdraw the petitions. He, however, prays that in case the respondent was

to invoke the Bank Guarantees in future, notice of at least 15 days should be given to the petitioners.

I have heard the learned counsels for the parties.

It is directed that if the respondent was to invoke the Bank Guarantees mentioned above in future, a notice of 10 days would be given to the petitioners to enable them to avail the appropriate remedies available to them in law. The undertaking given by the petitioners, as recorded in the order dated 24.10.2019, to extend the Bank Guarantees till 31.03.2020, will continue to bind the petitioners.

Petitions are disposed of as withdrawn.

JYOTI SINGH, J

JANUARY 29, 2020
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