

OD-28

AP/425/2021
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

MSP SPONGE IRON LIMITED
VS
TATA STEEL LONG PRODUCTS

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 10th November, 2021.

Appearance:
Mr. Anirban Roy, Adv.
Mr. Debraj Saha, Adv.
Mr. Debangshu Dinda, Adv.

Mr. Utpal Bose, Sr. Adv.
Mr. Anunoy Basu, Adv.

The Court: This is an application for condonation of delay in furnish the bank guarantee in terms of the order dated 11 June 2019. It is submitted on behalf of the petitioner that due to inadvertence the bank guarantee furnished by the petitioner in terms of order dated 11 January 2019 had lapsed and no contemporaneous bank guarantee had been provided by the petitioner. It is also submitted on behalf of the petitioner that a fresh bank guarantee has since been prepared and the petitioner is in a position to furnish the same in terms of the order dated 9 January 2019.

Mr Utpal Bose, Senior Advocate appears on behalf of the respondent and submits that there had been delay on the part of the petitioner in approaching this

Court. However, he fairly submits that he has no objection to the furnishing a fresh bank guarantee by the petitioner.

In view of the submission made on behalf of the parties, AP 425 of 2021 is allowed.

The petitioner is granted leave to furnish a bank guarantee for an amount of Rs. 39 lakhs in terms of the order dated 11 June, 2019. There shall be also be an order of costs payable by the petitioner to the respondent for a sum of Rs. 25,000/-.

In view of the aforesaid AP 425 of 2021 stands disposed of.

(RAVI KRISHAN KAPUR, J.)