

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN

O.S.A.Nos.209 to 212 of 2014

1. M/s.Shriram EPC Limited,
4th Floor, 1B Sigappi Achi Building,
No.18/3, Rukmini Lakshmipathy Salai,
Egmore,
Chennai - 600 008.
2. M/s.Mokul Infrastructure Pvt. Ltd.,
16D, Basant Lok, Community Centre,
Vasant Vihar,
New Delhi - 110 057.

.. Appellants in all OSAs

Vs.

1. Axis Bank Limited,
Karumuthu Nilayam Ground Floor,
No.192, Anna Salai,
Chennai - 600 002.
2. Byblos Bank, Basra Branch,
Manawi Bacha Street,
Next to Qaser Al Sultan Hotel
Basra, Iraq.
3. Trade Bank of Iraq
608 Al-Yamouk District,
Zuqaq 25 Building No.6,
P.O.B8186, Postal Code 12631,
Baghdad, Iraq.
4. Governorate of Basra,
Directorate of Government Contracts,
Basra, Iraq.

.. Respondents in all O.S.As

Appeals filed under Order XXXVI Rule 9 of the Original Side Rules r/w Clause 15 of the Letter Patent against the order dated 22.08.2014 passed in O.A.Nos.153 & 154 of 2014 & Application Nos.2337 & 2338 of 2014 in C.S.No.133 of 2014.

Prayer in O.A.No.153 of 2014:

Original Application praying that this Honourable Court be pleased to grant an ad-interim injunction restraining the 1st respondent, their men, agents, or any one claiming through or under them, including the 2nd respondent from making any payment against the bank guarantee No.12PER0034-700 dated 23.12.2012 having validity up to 03.12.2013, which validity period was subsequently amended and extended by the 2nd respondent up to 03.12.2014, pending disposal of the suit.

Prayer in O.A.No.154 of 2014:

Original Application praying that this Honourable Court be pleased to grant an ad-interim injunction restraining the 1st respondent, their men, agents, or any one claiming through or under them, including the 3rd respondent from making any payment against the advance payment bank guarantee No.1GT1322857DRE dated 12.12.2013 having validity up to 19.11.2014 pending disposal of the suit.

Prayer in A.Nos.2337 & 2338 of 2014:

Applications praying that this Honourable Court be pleased to vacate the order of interim injunction granted on 25.02.2014 in O.A.Nos.153 & 154 of 2014 in C.S.Nos.133 of 2014 (Respectively)

For Appellants : Mr.Satish Parasaran
(in all 4 O.S.As)

For Respondents : Mr.V.V.Sivakumar (R1)
(in all 4 O.S.As)

C O M M O N J U D G M E N T

(JUDGMENT WAS MADE BY M.DURAI SWAMY, J.)

Mr.Satish Parasaran, learned counsel appearing for the appellants seeks the permission of this Court to withdraw the appeals. The learned counsel has also made an endorsement to that effect.

2.In view of the same, the Original Side Appeals are dismissed as withdrawn. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

va

To

The Sub Assistant Registrar,
Original Side,
High Court, Madras - 104.

+1cc to Mr.Chethan Sagar, Advocate, S.R.No.39050

O.S.A.Nos.209 to 212 of 2014

CA (CO)
UMA (26/07/2022)