

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 33277 OF 2023

Between:

M/s. Vijai Electricals Ltd, Incorporated under the provisions of Companies Act, 1956 in India, with Having its Registered office at 6-3-648/1 and 2, Raj Bhavan Road, Somajiguda, Hyderabad - 500 082. Telangana, India.
Represented by authorized representative

...PETITIONER

AND

1. State Bank of India, Commercial Client Group Branch, D.No. 8-2-684/2/A, Anand Banjara Colony, Road No. 12, Banjara Hills, Hyderabad-500 034, Telangana. Also at- State Bank of India G 997 -h 85, Suniti Chatterjee, Sarani, Golpark, Hindustan Park, Kalighat, Kolkata- 700 029, West Bengal
Swift Code- SBININBBFXD
2. Societe Generale, The Head of the International Bank Guarantee Department, International Bank Guarantee Division, 17 Cours Valmy, 92972, Puteaux, Paris, France.
3. Banque Nationale, D Algerie Department of International Relations and Foreign Trade, 12, Route DE Meftah-Qued Smar-Alger, Also at, Banque Nationale D'Algerie Head Office, 8, Boulavard Ernesto Che Guevera, Alger R.C., Alger 84 B 178 PP 10-Imp.
4. Sonelgaz-Engineering SPA, Registered in the commercial register under No.16/00-0979179B09, having its head office at building of 600 offices, National Road No 38, Fort of Constantine, Algiers, represented by Chairman and Chief Executive Officer Mr. Yazid Djellouli.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or orders, direction or writ more particularly one in the nature of Writ of Mandamus to declare the action of the Respondent No.1 in make any payments under the subject Performance Bank Guarantee having Reference Number 1303918FG0000715 dated 24/10/2018 amounting USD.10,184,062/- expiring on 31/03/2024 to the Respondent No.2, pending any clarification as to reason for encashment pursuant to the SWIFT/ Letter dated 06.12.2023 is illegal

and arbitrary and consequently restraining the Respondent No.1 from releasing the any payments under the subject Performance Bank Guarantee.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 1 -bank not to release/pay any amounts under the Performance Bank Guarantee having Reference Number, 13039.18 G0000715 dated 24/10/2018 amounting US D .10,184,062/- expiring on 31/03/2024.

Counsel for the Petitioner: SRI K.KEERTIVARDHAN REDDY

Counsel for the Respondents: --

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.33277 of 2023

ORDER:

Mr.K.Keerthi Vardhan Reddy, the learned counsel appearing on behalf of petitioner brings on record the letter dated 28.12.2023 of the Petitioner and also a letter dated 28.12.2023 addressed to the Registrar (Judicial), High Court of Telangana at Hyderabad of the learned counsel for petitioner that the petitioner intends to withdraw the writ petition.

2. A bare perusal of the letter dated 28.12.2023 addressed to the Registrar (Judicial), High Court of Telangana at Hyderabad indicates that the petitioner in the present Writ petition intends to withdraw the writ petition and hence, taking into consideration the contents of the letter of the petitioner dated 28.12.2023 and also the submissions of the learned counsel appearing on behalf of the petitioner, the W.P.No.33277 of 2023 is dismissed as withdrawn. However, there shall be no order as to costs.

Interim orders granted by this Court on 07.12.2023,
shall also stands vacated.

Miscellaneous petitions, if any, pending shall stand closed.

SD/- P.Ch. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI K.KEERTIVARDHAN REDDY, Advocate [OPUC]
2. Two CD Copies

PSK.
GJP

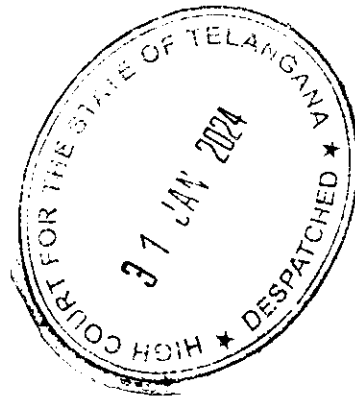


HIGH COURT

DATED:29/12/2023

ORDER

WP.No.33277 of 2023



**DISMISSING THE WRIT PETITION
AS WITHDRAWN WITHOUT COSTS.**

④ Copies
GBR

MBC
18/01