



W.P.No.11988 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.11988 of 2021
and
W.M.P.No.12755 of 2021

Vadim Infrastructure Private Limited,
represented by its Director,
R.Rajamanickam
New No 36 Old No.56,
1st Floor, Kalaimagal Nagar,
2nd Main Road, Ekkatuthangal,
Chennai – 600 032.

...Petitioner

-Vs-

Bharat Heavy Electricals Limited,
represented by its Additional G.M (Head MM)
Industrial System Group,
P.B.No.1249, Prof CNR Rao,
Circle, IISc Po,
Malleswaram, Bengaluru – 560 012.

...Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to communication of the Respondent vide Ref. BHEL /ISG /BG/2021 / RB-001 dated 24.03.2021, quash the same and direct the respondent to comply with the Office Memorandum issued by the Ministry of Finance of India vide O.M.No.F.9/4/2020-PPD dated 12.11.2020 which reduces the Performance Security from 5-10% to 3% of the Value of the contract for all existing contracts and consequently direct the Respondents to withhold only 3% of the value of



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the contract as Performance Bank Guarantee as per the Office Memorandum and release the remaining 7% of value of the contract in given by the Petitioner.

For Petitioner : M/s Sruthi R
For Respondent : Mr.C.Mohan
for M/s King and Partridge

ORDER

This Writ Petition has been filed for the issuance of Writ Certiorarified Mandamus, calling for the records relating to communication of the Respondent vide Ref. BHEL /ISG /BG/2021 / RB-001 dated 24.03.2021, quash the same and direct the respondent to comply with the Office Memorandum issued by the Ministry of Finance of India vide O.M.No.F.9/4/2020-PPD dated 12.11.2020 which reduces the Performance Security from 5-10% to 3% of the Value of the contract for all existing contracts and consequently direct the Respondents to withhold only 3% of the value of the contract as Performance Bank Guarantee as per the Office Memorandum and release the remaining 7% of value of the contract in given by the Petitioner.

2. When the matter is taken up for hearing, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition and she has also made an endorsement in the Court bundle to that effect.

3. In view of the above submission and endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn.



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Consequently, connected Miscellaneous petition is closed. No costs.

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27.06.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J,

mn



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To
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The Additional G.M (Head MM)
Bharat Heavy Electricals Limited,
Industrial System Group,
P.B.No.1249, Prof CNR Rao,
Circle, IISc Po,
Malleswaram, Bengaluru – 560 012.

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