



WEB COPY



O.A. No.998 of 2024

**THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 06.02.2025

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

**O.A. No.998 of 2024**

**and**

**Arb. Appln. No.97 of 2025**

M/s. Pursuit Technologies (Pvt.) Ltd., ... Applicant in  
O.A. No.998 of 2024

vs.

1. Larsen & Toubro Ltd.  
2. Canara Bank

...

Respondents in  
O.A. No.998 of 2024

Larsen & Toubro Ltd.

...

Applicant in  
Arb. A. No.97 of 2025

vs.

1. M/s.Pursuit Technologies (Pvt.) Ltd.,  
2. Canara Bank

...

Respondents in  
Arb. A. No.97 of 2025

For Applicant in  
Arb. A. No.97 of 2025 and  
1<sup>st</sup> Respondent in  
O.A. No.998 of 2024

: Mr.Anirudh Krishnan

For Applicant in  
O.A. No.998 of 2024 and  
1<sup>st</sup> Respondent in  
Arb. A. No.97 of 2025

: Mr.G.R. Hari

For 2<sup>nd</sup> respondent in both  
applications

: Mr.R. Jagadeesan



O.A. No.998 of 2024

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**WEB COPY** Admittedly, the interim injunction earlier granted in favour of the applicant in O.A. No.998 of 2024 has been vacated by this Court through its order, dated 24.01.2025 on account of non compliance of Order XXXIX Rule 3(a) of C.P.C.

2. O.A. No.998 of 2024 has been filed seeking for an order of interim injunction to restrain the respondents from invoking the Bank Guarantee.

3. A preliminary counter affidavit has been filed by the 1<sup>st</sup> respondent and in paragraph No.8 of the same, the 1<sup>st</sup> respondent has stated that the subject Bank Guarantee was never issued to the 1<sup>st</sup> respondent by the applicant or the 2<sup>nd</sup> respondent herein. Therefore, they have stated that the invocation of the same by the 1<sup>st</sup> respondent or injunctioning such invocation does not arise. The 1<sup>st</sup> respondent has also stated that the Bank of Ceylon has furnished a Bank Guarantee to the 1<sup>st</sup> respondent on behalf of the applicant. Further, it is stated that neither the Bank of Ceylon is a party nor the said Bank Guarantee is the subject matter of the present Section 9 application.



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WEB COPY 4. The learned counsel for the applicant has also not raised any serious objection for the statement made by the 1<sup>st</sup> respondent in paragraph No.8 of their preliminary counter affidavit filed before this Court.

5. Since the interim injunction order has already been vacated and in view of the fact that the subject Bank Guarantee was never issued to the 1<sup>st</sup> respondent by the applicant or the 2<sup>nd</sup> respondent herein, the question of granting interim injunction as prayed for in this application does not arise.

6. After recording the statement made by the 1<sup>st</sup> respondent in its preliminary counter affidavit, dated 05.02.2025 as stated supra, this application viz., O.A. No.998 of 2024 is closed. Consequently, the vacate injunction application viz., Arb. A. No.97 of 2025 is also closed.

06.02.2025

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O.A. No.998 of 2024

**ABDUL QUDDHOSE, J.**

vsi2

O.A. No.998 of 2024  
and  
Arb. Appln. No.97 of 2025

06.02.2025