

IN THE COMMERCIAL COURT AT CITY CIVIL COURT AHMEDABAD

COMMERCIAL CIVIL MISC. APPLICATION NO.20 OF 2019

Applicant: Simplex Infrastructures Limited

Versus

Respondent: RSPL Limited

Appearance:

Mr. Saurabh Soparkar, Ld. Senior Counsel, with Mr. Devan Desai, with Mr. Pranjali Buch with Mr. Samratsen Gupta, Learned Counsels for the applicant

Mr. Abhishek Mehta, Ld. Counsel for the respondent

ORDER BELOW EXH.7 & 14:-

1. This matter was listed yesterday. On that day, this Court has issued urgent notice for today.

Today, Learned Senior Counsel for the applicant has filed affidavit of service. The notice has been duly served. In pursuance thereto, Learned Counsel for the respondent has put his appearance and filed his Vakalatnama vide Exh.15. Learned Senior Counsel for the applicant has prayed for interim injunction against the invocation of Bank Guarantee 2560BG-226-16, for amount of Rs.10,09,99,368/- issued by Canara Bank. Learned Counsel for the respondent prays for time till 6th March, 2019. He has assured the Court that Bank Guarantee in question will not be invoked, till 6th March, 2019.

2. In view of the assurance given by the Learned Counsel for the respondent, the respondent is directed not to encash the Bank Guarantee in question, till 6th

March, 2019.

A copy of this order be given to the Learned Counsels for both the parties.

Direct Service is also permitted to Learned Counsels for both the parties, for necessary information to the Canara Bank.

3. Learned Counsel for the respondent is directed to supply an advance copy of the reply to the Learned Senior Counsel for the applicant, so that the matter could be heard finally on that day.

4. At this stage, Learned Counsel for the respondent has assured that he would supply a copy of the reply to the Learned Senior Counsel for the applicant, on 2nd March, 2019 and Learned Senior Counsel for the applicant undertakes to supply a copy of the rejoinder, if any, by 5th March, 2019.

Now to come up on 6th March, 2019 for filing reply, rejoinder and arguments.

Dictated & pronounced in the open court on this 28th February, 2019.

Ahmedabad.

(Moolchand Tyagi)

Judge

Commercial Court

Unique ID Code No.GJ01043