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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 675/2017 & IAs No.11601/2017 (u/O XXXIX R-1&2 CPC), 14196/2017 (of D-2 u/O VII R-10&11 CPC) & 15291/2017 (u/O VI R-17 CPC)

BHARAT HEAVY ELECTRICALS LIMITED Plaintiff

Through: Mr. Rajeev Nayyar and Mr. Amit Sibal, Sr. Advs. with Mr. Prashant Mehta, Mr. Alok Tripathi, Mr. Aditya Gupta and Mr. Avinash Amarnath, Advs.

Versus

EGYPTIAN ELECTRICITY TRANSMISSION COMPANY

& ORS

..... Defendants

Through: Mr. Ravinder Sethi, Sr. Adv. with Mr. Sanjay Gupta, Mr. Ateev Mathur, Ms. Jagriti Ahuja and Mr. Amol Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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19.12.2017

1. The application of the plaintiff under Order XXXIX Rules 1&2 of the Code of Civil Procedure, 1908 (CPC) in which the plaintiff is enjoying an *ex-parte* order and the application of the defendant No.2 Honkong and Shanghai Banking Corporation (HSBC) Bank India, under Order VII Rules 10 & 11 of the CPC are for consideration.

2. The plaintiff has also filed IA No.15291/2017 for amendment of the plaint.

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3. I have drawn attention of the senior counsel for the plaintiff to the order dated 20th December, 2016 in CS(COMM) No.1507/2016 titled ***Bharat Heavy Electricals Ltd. Vs. Public Electricity Corporation*** and have enquired from the counsels, whether the present suit can also be disposed of on the same terms, preserving the interest of the defendant No.2 HSBC Bank India.
4. The senior counsel for the plaintiff being aware of the same, has handed over a copy of the same to the senior counsel for the defendant No.2 HSBC Bank.
5. The senior counsel for the defendant No.2 HSBC Bank to take instructions with respect to the same.
6. List on 20th February, 2018 when CS(COMM) No.1358/2016 and CS(COMM) No.1507/2016 are stated to be listed.
7. The senior counsel for the defendant No.2 HSBC Bank to, on the next date of hearing, also inform whether the matter has been precipitated internationally.
8. Interim orders to continue.

RAJIV SAHAI ENDLAW, J.

DECEMBER 19, 2017

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