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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. Amit Sibal, Sr. Adv. 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. Ajay Monga, Mr. Ateev Mathur, Mr. Amol Sharma and Ms. Jagriti Ahuja, Advs. for D-2.
Mr. Naresh Thanai, Adv. for D-3.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER
% **11.04.2018**

1. Though the senior counsel for the plaintiff states that this suit also can be disposed of on the same terms as in CS(COMM) No.1507/2016 & CS(COMM) No.1358/2016, inasmuch as the defendant No.1 Egyptian Electricity Transmission Company, inspite of service, is not appearing in this suit as well but the counsel for the defendant No.3 Honkong and Shanghai Banking Corporation (HSBC) Bank, Cairo, states that he has filed a written statement yesterday, though after thirty days of service but before expiry of 120 days.

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2. The senior counsel for the plaintiff also contends that the plaintiff in the present case has sought discharge of the bank guarantee as distinct from CS(COMM) No.1507/2016 & CS(COMM) No.1358/2016.
3. IA No.15291/2017 has been filed by the plaintiff for amendment of the plaint.
4. The senior counsel for the plaintiff, on enquiry, states that the plaintiff by the said amendment is merely seeking to clarify certain aspects.
5. Though the suit being at an initial stage, I am of the view that the application needs to be allowed and there is no need to call for reply thereto but the senior counsel for the defendant No.2 Honkong and Shanghai Banking Corporation (HSBC) Bank, New Delhi insists upon reply. Since there is already an interim order in favour of the plaintiff, the said insistence of the senior counsel for the defendant No.2 Bank is to its own prejudice, as far continuation of the interim order is concerned.
6. Reply be filed by defendants 2&3 within four weeks.
7. Rejoinder thereto, if any be filed within further four weeks thereafter.
8. List for hearing of the application under Order VI Rule 17 of the Code of Civil Procedure, 1908 on 6th September, 2018.
9. Interim orders to continue.

RAJIV SAHAI ENDLAW, J.

APRIL 11, 2018
'bs'.