

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Appeal No. 4497/2024

Galvano India Private Limited, Having Registered Office At E, 95-97, Upsidc, Surajpur Industrial Area, Distt. Gautambudh Nagar Greater Noida, Uttar Pradesh 201306 Through Its Authorised Representative Mr. Ashutosh Srivastava Resident Of 1503, Tower T-3, Mcc Signature Heights, Raj Nagar Extension, Ghaziabad, Uttar Pradesh 201017

-----Appellant

Versus

- 1. West Central Railway, Through Cpm-2, Kota Division Having Registered Address At Cpm-2, Gsu, Kota, West Central Railway, Railway Colony, Railway Station Area, Kota, Rajasthan 324002
- 2. Bank Of India, Vikaspuri Branch, M-125, Budella, Vikaspuri, New Delhi, Delhi 110018

-----Respondents

For Appellant(s)	:	Mr. Jatin Sehgal, through VC with Ms. Nishtha Gambhir
For Respondent(s)	:	Mr. Devesh Yadav, through VC with Mr. Chinmay Sharma

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

18/05/2026

1. Heard learned counsel for both the parties and after having perused the order dated 04.11.2024 which is sought to be vacated by the respondents vide their application (I.A. No.1/2025), we notice that during the pendency of this appeal, Arbitrator has already been appointed and the arbitration proceedings have already commenced, where both the parties would be before the learned Arbitrator.

2. Considering that the order passed on 04.11.2024 has been operative for the last almost one and a half year and the counsel appearing for the appellants submits that they will continue the bank guarantee during the pendency of the arbitration proceedings, we dispose of the present appeal, making the order dated 04.11.2024 absolute, so far as directions to the respondents not to encash the bank guarantee till the disposal of the arbitration proceedings are concerned.

3. The appeal itself stands disposed of. All the pending applications also, accordingly, stands disposed of.

(ASHUTOSH KUMAR),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

RAHUL/TANISHA/64