



IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Commercial Division)

AP/40/2020
IA NO: GA/9/2023, GA/10/2023
DAMODAR VALLEY CORPORATION
VS
RELIANCE INFRASTRUCTURE LTD MEHARIA AND CO

BEFORE :
THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA
Date : 19th July, 2024

Appearance:

Mr. Ratnanko Banerji, Sr. Adv.
Ms. Vineeta Meharia, Adv.
Ms. Urmila Chakraborty, Adv.
Mr. Kanishk Kejriwal, Adv.
Mr. Amit Meharia, Adv.
Ms. Paramita Banerjee, Adv.
Ms. Subika Paul, Adv.
Ms. Sonali Pal, Adv.
...for the petitioner.

Mr. Paritosh Sinha, Adv.
Mr. A. Roychowdhury, Adv.
Ms. Shrayashee Das, Adv.
Mr. Pushan Majumdar, Adv.
Mr. Himangsu Bhowsingka, Adv.
Mr. Rohan Kumar Thakur, Adv.
...for the respondent.

The Court : Learned senior counsel for the petitioner submits that as per the original order of this Court, the bank guarantee was to be furnished by the petitioner for the amount as specified therein.

Subsequently, the said order dated March 25, 2022 further stipulated that the bank guarantee shall also be renewed at least one month before the scheduled date of expiry.

As asked by the Registrar, Original Side, before whom the bank guarantee was being furnished, the petitioner has been renewing the bank guarantee yearly, each time at least one month before the scheduled date of



expiry. On the last occasion, the petitioner exceeded the said time and could not renew the same one month before the date of expiry due to no fault of the petitioner, but due to certain procedural wrangles on the part of the concerned bank. Accordingly, the petitioner seeks acceptance of such bank guarantee, despite the same having been furnished within a reduced time span before the scheduled date of expiry and seeks to renew the same at least one month before its next scheduled date of expiry.

Upon a consideration of the circumstances, such prayer is allowed. The renewal of bank guarantee lastly done by the petitioner is hereby accepted with the rider that the petitioner shall continue to comply with the directions in the order dated March 25, 2022, inter alia, by renewing the bank guarantee at least one month before the scheduled date of expiry.

(SABYASACHI BHATTACHARYYA, J.)