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SLP(C)No. 2170 OF 2002
ITEM No.31 Court No. 1 SECTION XVII

S U P R E M E   C O U R T   O F   I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.2170/2002
(From the judgement and order dated 11/09/2001 in MA 498/99
of The HIGH COURT OF JUDICATURE, PATNA)

RASHTRIYA ISPAT NIGAM LTD. Petitioner (s)

VERSUS

M/S. UNITED ENTERPRISES & ANR. Respondent (s)
(With prayer for interim relief and appln. for permission to file additonal documents)

Date : 11/02/2002 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s) Mr. S. Ganesh, Sr. Adv.
Mr. P.S. Sudheer, Adv.
Mr. P. Venugopal, Adv.
Mr. K.J. John, Adv.
for M/s. K.J. John & Co.,Advs.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

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Permission to file additional documents is granted.

It is inter alia contended that the earlier bank guarantee No. 8/95 was extended upto 31st December, 1998 and could be invoked on or before 3oth June, 1999. The request of extension till 18th July, 1999, which was not agreed to, did not mean that the petitioner could not invoke the bank guarantee before 30th June, 1999. In the present case, this bank guarantee was invoked on 28th June, 1999 and therefore, the High Court was in error in coming to the conclusion that the invocation was not within the time prescribed.

Issue notice.
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Kalyani. (SHELLY SENGUPTA)@@
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