

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT (L) NO.2845 OF 2012

New Consolidated Construction Co. Ltd.
..Plaintiffs
versus

Mantri Developers Private Ltd. & Anr.
..Respondents

Mr. Ashok Davar alongwith Mr. Sridhar Chari for the
Plaintiffs.

Mr. Chetan Kapadia alongwith Mr. H.S.Khokawala i/b
for the Respondent.

.....

**CORAM : M.S.SANKLECHA, J.
(VACATION COURT)**

DATE : 26th December, 2012

P.C. :

1 This suit has been filed seeking to
restrain the defendant no.1 from invoking 7 bank
guarantees issued by defendant no.2 (Vijaya Bank)
as sought to be done by letter dated 19.12.2012.

2 When the matter was called out Mr. C.S.

Kapadia, Counsel for the defendant no.1 and Mr. A.Davar Counsel for plaintiff state that the matter has been settled. Mr. C.S.Kapadia, Counsel for Defendant No.1 states that defendant no.1 is withdrawing its letter dated 19.12.2012 addressed to Vijaya Bank being Exh.'P' to the plaint by which 7 bank guarantees were invoked. In view of the statement made by the Mr. Kapadia, the plaintiff seeks to withdraw the present suit. Mr. Davar, Counsel for the plaintiff undertakes to pay the requisite court fees payable within one week. Undertaking is accepted.

3 In view of the above, Suit is allowed to be withdrawn.

4 Parties to act on a copy of the order duly authenticated as True Copy by the Associate or Personal Assistant of this Court.

(M.S. SANKLECHA, J.)