
(2021) 12 OHC CK 0106
In the Orissa High Court
Case No : CONTC No. 1781 Of 2017

M/s Security and Intelligence Services (India) Ltd., Rayagada	APPELLANT
Vs	
D.K. Mohanty & Another	RESPONDENT

Date of Decision : 15-12-2021

Acts Referred:

Citation : (2021) 12 OHC CK 0106

Hon'ble Judges : Jaswant Singh, J;S.K. Panigrahi, J

Bench : Division Bench

Advocate : J.K. Mishra

Final Decision : Dismissed

Judgement

1. This matter is taken up through Hybrid Mode.
2. The petitioner has filed W.P.(C) No.10363 of 2007 seeking a direction to the State Bank of India for return of the performance Bank Guarantee on completion of the term, which had been furnished while executing a work order for National Aluminium Company Limited (NALCO), Koraput. The writ petition is stated to be pending wherein an interim order dated 30.06.2017 was passed directing that the Bank Guarantee, if not already encashed, be not encashed till the next date of hearing. Thereafter another interim order dated 06.07.2017 was passed, whereby the aforesaid interim order dated 30.06.2017 was directed to continue till the date of listing.
3. The present contempt has been filed on the ground that in spite of the aforesaid interim order dated 06.07.2017, the NALCO has issued a memo dated 07.12.2017 that in case the petitioner do not extend the Bank Guarantee before its validity period, then the same be treated as settling the claim for full value.
4. Upon examination of the issue, we do not find that any contempt has been committed. However, the petitioner himself prays for permission to withdraw the contempt.

5. The CONTC is accordingly dismissed as withdrawn.

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