

HIGH COURT OF DELHI : NEW DELHI

No. ....130.....

Dated: 3-01-2018

CIRCULAR

Hon'ble Ms. Justice Prathiba M. Singh vide order dated 10-01-2018 in RFA 125/2010 titled as Satish Khosla Vs. M/s. Saudi Arabian Airlines, has been pleased to, inter alia, pass the following directions:-

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3. "On 21<sup>st</sup> December, 2017, the learned Joint Registrar passed the following order:

*"The earlier extended bank guarantee furnished by the respondent bearing no. 552760119 dated 17.10.2016 for a sum of Rs. 14,15,000/- valid upto 07.11.2017.*

*Respondent instead of extending the earlier bank guarantee, filed a fresh bank guarantee bearing no. 003GM0317349001 dated 15.12.2017 for a sum of Rs. 14,15,000/- issued by Yes Bank Ltd., Chanakyapuri, New Delhi branch.*

*The fresh bank guarantee filed by respondent is not in continuation of the earlier bank guarantee. So, there is a gap as there is no bank guarantee after 08.11.2017.*

*In view of the above, the matter be placed before the Hon'ble Court for further directions/orders on 10.01.2018."*


4. It is to be borne in mind that the earlier Bank Guarantee expired on 7<sup>th</sup> November, 2017 and the Respondent was under an obligation to renew the Bank Guarantee or to furnish a new Bank Guarantee prior to the date of the expiry of the earlier Bank Guarantee.

5. The Registry of this Court has allowed the earlier Bank Guarantee to lapse and this practice is fraught with risks, especially, when amounts are released in favour of the party subject to furnishing of the Bank Guarantees. The officials of the Registry shall in future ensure that Bank Guarantees are not allowed to lapse in this manner.

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As directed, the above directions are, therefore, circulated for information and strict compliance by all the concerned and any lapse on the part of any officer/official shall be viewed seriously.

BY ORDER

  
[DINESH KUMAR SHARMA]  
REGISTRAR GENERAL

Endorsement No. 3336-42

Dated: 3-01-2018

Copy forwarded to :-

1. Joint Registrar-cum Secretary to Hon'ble the Acting Chief Justice.

2. All Registrars/OSDs/Joint Registrars/Deputy Registrars/Assistant Registrars.
3. Deputy Registrar-cum-P.A. to the Registrar.
4. Private Secretaries/Court Masters/Administrative Officers (Judl.) with a direction to bring the contents of this Circular in the notice of the staff working under their control for strict compliance.
5. Joint Director (IT) with a request to display the circular on the website of this Court as well as Intranet.
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