

**IN THE SPECIAL COURT (TRIAL OF OFFENCES RELATING TO
TRANSACTIONS IN SECURITIES) ACT, 1992
CUSTODIAN REPORT NO. 5 OF 2018**

**CUSTODIAN REPORT NO. 5 OF 2018 IN RESPECT OF COUR DECREE CASES
PENDING DUE TO NON AVAILABILITY OF ASSETS WITH JUDGEMENT
DEBTORRS DHANRAJ MILLS PVT. LTD.**

Mr. Hormaz Daruwalla a/w. i/b. M/s.Leena Adhvaryu & Associates for
Custodian / Applicant.

Ms. Radha Ved i/b. Kiran Jain Co. for Dhanraj Mills Pvt. Ltd.

**CORAM : A.K. MENON, J.
Judge, Special Court
DATE : 12th MARCH, 2021**

P.C. :

1. By this report the Custodian has sought a direction in relation to the debtors of Dhanraj Mills Pvt. Ltd. to notified party. There were total four out of four decrees forming subject matter of this report. It is stated that the amounts are not recoverable for various reasons set out in the report. Moreover the notified party Dhanraj Mills Pvt. Ltd. has through its Director Rajendra Prasad Mehrotra confirmed that the amount under these decrees though involved notified parties are not recoverable.

2. In paragraph 4 and 5 the deponent has stated that the decrees are not executable and amounts are not recoverable. However the notified party has sought to reserve the right to renew the application for recovery of the amounts.

3. For present the report is disposed with liberty to the Custodian and notified party to revive execution proceedings in all of the four decrees. It is made clear that the Court has not examined the merits of the contention of the notified party that the amount is not recoverable. This Court has also not examined the plea that tax dues claimed are not payable. This Court is not concerned with the demands of the revenue pertaining to the debts in question which is a matter for the revenue to pursue.

(A.K. MENON, J.)