

**IN THE SPECIAL COURT (TRIAL OF OFFENCES RELATING TO  
TRANSACTIONS IN SECURITIES) ACT, 1992 AT BOMBAY**

**CUSTODIAN'S REPORT NO.7 OF 2019**

**IN**

**REPORT NO.9 OF 2015**

**WITH REGARD TO AUDIT OF ACCOUNTS OF M/S. FAIRGRWOTH  
INVESTMENTS LTD., A NOTIFIED PARTY**

Mr. Hormaz Daruwalla i/b. Ms.Shilpa Bhate for the Custodian.

Mr. Aman Kacheria i/b. Rahul Agarwal for respondent nos.3 to 12.

**CORAM : A. K. MENON,**

**JUDGE, SPECIAL COURT**

**DATED : 14TH JANUARY, 2022**

**(THROUGH VIDEO CONFERENCE)**

**P.C. :**

1. Mr. Kacheria on behalf of the Agarpara Jute Mills Ltd. requests that time to file the reply copy of which has already been served upon the Custodian, be extended.
2. Time is extended upto 17<sup>th</sup> January, 2022.
3. In the meantime, it appears that the Custodian had sent an email to Rajanigandha Investment and Traders Pvt. Ltd. at the email address provided in the Company Master Data. That email is said to have been returned undelivered to the Custodian. Although Mr. Daruwalla submits that a postal acknowledgment has been

received by the custodian, none appears for them even on second call. Mr. Daruwalla has invited my attention to an annexure to the affidavit dated 4<sup>th</sup> October, 2021 Mr. Somnath Dc, Municipal Commissioner, Kolkata Municipal Corporation, which indicates the names of two Directors Govind Kumar Sarma and Vishnu Kumar Purohit who have been appointed as Directors in 2017 and 2021 respectively. In the fairness of things it is appropriate that notices be issued to these two directors both by the Custodian and by the registry of this court prior to passing further orders.

4. Accordingly, I pass the following order;

- (i) Issue notices to Govind Kumar Sarma and Vishnu Kumar Purohit, Directors of Rajanigandha Investment & Traders Pvt. Ltd. at all known addresses. One copy of each of these notices in original shall be delivered to the office of the Commissioner of Police, Kolkata, with a request to have them delivered upon the two directors since the company is not responding to notices.
- (ii) Commissioner of Police is accordingly requested to have these notices served upon these two Directors in view of the fact that the Custodian presently does not have any office in Kolkata to have these notices personally served

in Kolkata.

- (iii) Notice returnable on 28<sup>th</sup> January, 2022, when these two directors are required to ensure that they are represented at the next hearing. If they do not further orders to secure their presence may have to be considered.
- (iv) Although Anjani Builders Pvt. Ltd. and Awanti Housing & Properties Pvt. Ltd. were earlier represented by Mr. Agarwal, these persons have still not filed their affidavits. The learned counsel for the said two companies shall furnish their names and addresses of the Directors of these two companies within one week from today. Registry to issue notices to these directors requiring them to be represented on the next date. If they do not further orders to secure their presence may have to be considered.
- (v) In view thereof, S.O. to 28<sup>th</sup> January, 2022.

**(A. K. MENON, J.)**