

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

**EXECUTION APPLICATION NO.10 OF 2018  
IN  
MISCELLANEOUS APPLICATION NO.53 OF 2012  
IN  
MISCELLANEOUS APPLICATION NO.76 OF 1996**

The Custodian .. Applicant  
v/s.  
Oasis Nutraceuticals Ltd. .. Respondent

**WITH  
GARNISHEE NOTICE NO.1 OF 2021  
IN  
EXECUTION APPLICATION NO.10 OF 2018**

The Custodian .. Applicant  
v/s.  
Kavit Industries Ltd. .. Respondent

**WITH  
GARNISHEE NOTICE NO.2 OF 2021  
IN  
EXECUTION APPLICATION NO.10 OF 2018**

The Custodian .. Applicant  
v/s.  
Sorority Traders Pvt. Ltd. .. Respondent

**WITH**

**GARNISHEE NOTICE NO.3 OF 2021**  
**IN**  
**EXECUTION APPLICATION NO.10 OF 2018**

The Custodian .. Applicant  
v/s.  
Sun Exports Pvt. Ltd. .. Respondent

Mr. Gandhar Raikar i/b. Shilpa Bhate & Associates for the applicant.

Mr. Piyush Raheja i/b. Mayur Faria for the respondent.

Mr. Devadatta Dalvi for Garnishee in SPGR/1/2021.

Mr. Kumar Tolani for Garnishee in SPGR/3/2021.

None present in SPGR/2/2021.

**CORAM : A.K. MENON**  
**JUDGE, SPECIAL COURT**  
**DATE : 3RD DECEMBER, 2021**

**P.C. :**

**GARNISHEE NOTICE NO.1 OF 2021**

1. On behalf of Garnishee no.1, the learned counsel states that he has been unable to file the affidavit of the Garnishee. He has today tendered an affidavit dated 29<sup>th</sup> November, 2021 signed by the Chief Financial Officer of Garnishee known as M/s. Evexia Lifecare Ltd. The contention in the affidavit is that after making last payment in 2019, there is an outstanding of

Rs.1,70,11,105/- in the books of the Garnishee but it was not payable to M/s. Oasis Nutraceuticals Ltd. The copy of Ledger Statement is annexes as Exhibit 'C' but there is no annexure in the affidavit. The learned counsel for the applicant states that he will file a fresh affidavit along with these annexures. Meanwhile, affidavit dated 29<sup>th</sup> November, 2021 is taken on file.

2. Registry to provide copies to the Advocates for the Custodian and the respondent.

3. As per the ROC Website, Mr. Raikar points out that M/s. Evexia Lifecare Ltd. has about seven Directors. The Director Incharge of Financial Affairs shall remain present in Court on 10<sup>th</sup> December, 2021 with all records of the company pertaining to M/s. Oasis Nutraceuticals Ltd. with instructions to answer all queries of the court.

4. Meanwhile, fresh affidavit with all annexures shall be filed on or before 8<sup>th</sup> December, 2021.

5. Vakalatnama to be filed 8<sup>th</sup> December, 2021.

6. S.O. to 10<sup>th</sup> December, 2021.

### **GARNISHEE NOTICE NO.2 OF 2021**

1. Mr. Raikar seeks time since he is not been able to serve the Directors at their residential addresses. Service shall be effected on or before 14<sup>th</sup> December, 2021.

2. S.O. to 17<sup>th</sup> December, 2021.

**GARNISHEE NOTICE NO.3 OF 2021**

1. Mr. Tolani states that he is unable to explain why the payments are made for Perfect Vitamins Pvt. Ltd. when the invoice are admittedly raised by M/s. Oasis Nutraceuticals Limited and in the light of the fact M/s. Oasis Nutraceuticals Limited has shown Sun Export Pvt. Ltd. as a party from whom some monies are due. The affidavit being unsatisfactory. Mr. Tolani seeks some time.

3. Accordingly, list on **17<sup>th</sup> December, 2021.**

4. Additional affidavit, if any, to be filed on or before 10<sup>th</sup> December, 2021.

5. No extension of time will be granted.

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