

**IN THE SPECIAL COURT AT BOMBAY**  
**Constituted under the Special Court [Trial of Offences**  
**Relating to Transactions in Securities] Act, 1992**

**MISCELLANEOUS APPLICATION NO.205 OF 2003**

**IN**

**SPECIAL SUIT NO.41 OF 1995**

State Bank of India ....Applicant

V/s.

The Custodian & Ors. ....Respondents

Mr. T. Cooper, Sr. Advocate, with Mr. Aditya Singh and Adv. Devanganna Dossa,  
i/by Little & Co., for the Applicant.

Ms. Shilpa Bhate, i/by Leena Adhvaryu & Associates, for Respondent No.1-  
Custodian.

Mr. Aseem Naphade, i/by Mr. Vivek Sharma, for Respondent Nos.2, 3, 4(A) to  
4(E).

Mr. B.M. Chatterji, Sr. Advocate, with Ms. Kavita Singh, i/by Mr. Ranit Basu, for  
Respondent No.5.

Mr. A. Limosin, Special P.P. for the CBI.

**CORAM : A.K. MENON, J.**  
**JUDGE, SPECIAL COURT**

**DATE : 23<sup>RD</sup> JULY, 2021.**

**[THROUGH VIDEO CONFERENCE]**

P.C. :

1. Mr. Cooper submits that, as in MA/211/2003, the principal sum under the decree has been received. Inviting my attention to the decree, he submits that credit for the sum of Rs.51.99 crores has also been given as early as 28<sup>th</sup> April 1995 and that the payment of the decretal sums over and above Rs.51.99 crores had been received on various dates as set out in a chart in Exhibit-A to the affidavit-in-rejoinder filed on behalf of the applicant dated 15<sup>th</sup> July 2021, that has been tendered today and which could not be filed for want of a specific direction. That affidavit is of one Gerard Viegas, Assistant General Manager (NPI) of the applicant-bank. Mr. Cooper states that Exhibit-A correctly sets out the various amounts received and the supporting documents in respect thereof had been filed in a compilation pursuant to directions of this court. He submits that it is only the interest that is now payable.

2. Mr. Sharma on behalf of the notified party, who appears for respondents 2, 3, and 4(A) to 4(E), states that the rejoinder and the computation has just been served; hence, he seeks some time.

3. Mr. Chatterji adopts all submissions made on behalf of the Income Tax Department in MA/211/2003.

4. Time to file affidavit-in-rejoinder is extended upto Monday, the 26<sup>th</sup> July 2021.

5. Mr. Sharma reiterates that all submissions made by Mr. Naphade and by himself in MA/211/2003 are adopted in this MA. It is only on account of any clarification that he wishes to make submissions on the next date.

6. List this MA on 30<sup>th</sup> July 2021.

**[A.K. MENON, J.]**