

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

**MISCELLANEOUS APPLICATION NO.438 OF 2003**

**IN**

**MISCELLANEOUS PETITION NO.14 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. Vivek Sharma for Respondent Nos.2, 3 and 4(A) to 4(E).

Mr. B.M. Chatterjee, Sr. Advocate, with Ms. Kavita Singh, i/by Mr. Ranit Basu, for Respondent No.5–Income Tax Department.

Mr. Zal Andhyarujina, Sr. Advocate, with Mr. Karan Bhide, Ms. Mona Bhide, Ms. Binjal Samani and Ms. Dhvani Gala, i/by Dave Girish & Co., for Respondent No.6.

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

**DATE : 30<sup>TH</sup> JULY, 2021.**

**[THROUGH VIDEO CONFERENCE]**

**P.C. :**

1. Mr. Naphade states that he is ready with submissions in reply to this MA,

but seeks to rely on a further compilation of documents. The compilation of documents is not before this court. On the last date, Mr. Sharma had appeared on behalf of these respondents and was to respond today. Mr. Cooper objects to production of new documents at this stage especially he has been served with a compilation only this morning.

2. This application, just as the others in this group, is seeking payment of interest. The principal sum has already been paid to the bank. The record indicates that on 1<sup>st</sup> December 2009, an affidavit dated 26<sup>th</sup> November 2009 on behalf of respondent no.2 is already on record. When this matter was listed for hearing on earlier occasions, at the request of the respondent no.4A, a further affidavit was permitted to be filed. That affidavit is of respondent no.4A and is said to be filed on behalf of himself and as legal heirs of late Smt. Rasila S. Mehta and the respondent no.2. The affidavit runs from pages 36 to 128. It annexes documents including pleadings in other matters and in all runs into 496 pages. A compilation is not even before the court. The objection is therefore justified. In that view of the matter, Mr. Naphade agrees to proceed with and concluded his submissions.

3. List this MA on 6<sup>th</sup> August 2021 for arguments of the applicant's counsel.

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