

**IN THE SPECIAL COURT (TRIAL OF OFFENCES RELATING TO
TRANSACTIONS IN SECURITIES) ACT, 1992
MISCELLANEOUS PETITION NO. 4 OF 2009**

Classic Share & Stock ... Petitioner
Broking Services Ltd.

vs.

Bombay Stock Exchange ... Respondents
Ltd. & Ors.

Mr. Hormaz Daruwalla i/b, Leena Adhvaryu & Associates for the Custodian.

Mr. Ashwin Mehta for the Notified Party.

Ms. Radhika Gupta i/b. M/s. Khaitan and Company for Respondent no. 1

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

P.C. :

1. This is an application whereby the applicant seeks a declaration in respect of the 10,000 shares of the Bombay Stock Exchange claiming exclusive ownership of shares and a declaration that there is no valid attachment of the shares under the Special Courts Act. Thirdly the applicant seeks to restrain the Bombay Stock Exchange from handing over share certificates to the Custodian or from parting with corporate benefits that may have accrued. In the alternative if the shares have already been handed over,

to order and direct the Custodian to hand back the shares to the petitioner and restrain Bombay Stock Exchange from handing over further corporate benefits. The application is pending since 2009.

2. Today none appears for the petitioners. Prima facie it appears from the reply of the Bombay Stock Exchange respondent no. 1 filed by one Mr. Vishvesh G. Bhagat dated 4th August, 2009 and as submitted by the learned counsel for the Stock Exchange that all benefits and accruals have also been handed over to the Custodian. In the circumstances respondent no. 1 is excused from further appearance unless required by notice.

3. In the meanwhile petitioner and Advocate are absent. The record indicates that even on 22nd March, 2020 petitioner and Advocate were absent

4. List the application for dismissal on 19th March, 2021.

(A.K. MENON, J.)