

**IN THE SPECIAL COURT (TRIAL OF OFFENCES RELATING TO  
TRANSACTIONS IN SECURITIES) ACT, 1992  
MISCELLANEOUS APPLICATION NO. 57 OF 2018  
IN  
MISCELLANEOUS PETITION NO. 7 OF 2006**

Stock Holding Corporation of ... Petitioner  
India Ltd. And Anr.

vs.

The Custodian and Ors. ... Respondents

Mr. Subhash Bane i/b. S. B. Legal for the Petitioner.

Mr. J. Chandran a/w Ms. Shilpa Bhate i/b. Leena Adhvaryu & Associates for  
the Custodian.

Mr Hufeza S. Khokhawala and Mr. Kunal J. Motwani i/b. M/s. Nankani and  
Associates for Respondent no. 1.

Mr. B. M. Chatterji, Senior Advocate a/w. Ms. Kavita Singh i/b. Mr. Ranit Basu  
for the Income Tax Department.

**CORAM : A.K. MENON, J.  
Judge, Special Court**

**DATE : 9<sup>th</sup> APRIL, 2021**

**(Through Video Conference)**

**P.C. :**

1. Mr. Khokhawala on behalf of respondent no. 1 in the Miscellaneous Application no. 57 of 2018 states that he has instructions to appear and he undertakes to file Vakalatnama on or before 23<sup>rd</sup> April, 2021. He further submits that respondent no. 1 has no objection to being impleaded as

Respondent no. 38 in Miscellaneous Petition No. 7 of 2006. He further states that respondent no. 2 HDFC Limited is only a sponsor and that the fund of original respondent no. 6 is owned and managed by respondent no. 1. Mr. Khokhawala further submits that respondent no. 2 HDFC Limited is not necessary party since liability if any in the petition will be that of respondent no. 1 alone. In view of the statement Mr. Bane does not seek impleadment of respondent no. 2 as proposed as respondent no. 39, Mr. Bane further states that in proposed paragraph 6(B) the amendment will be restricted to HDFC Limited. In view thereof I pass the following order :

(i) Miscellaneous Application is allowed in terms of prayer clause (a) restricted to impleading HDFC Asset Management Company Limited as respondent no. 38 in Miscellaneous Petition No. 7 of 2006.

(ii) In addition to impleading respondent no. 38 amendment is allowed in terms of schedule restricted to inserting of Paragraph 6(B) but excluding reference to HDFC Trustee Company Limited and HDFC Limited.

(iii) Amendment to be carried out on or before 23<sup>rd</sup> April, 2021. Draft amendment to be circulated by email to the registry and to the Advocate for newly added respondent no. 38 and the Custodian on or before 20<sup>th</sup> April, 2021

(iv) Miscellaneous Application no. 57 of 2018 is disposed in the above terms.

(v) Mr. Khokhawala makes a grievance that the petition is not an updated version containing all amendments. Mr. Bane undertakes to serve a true copy of the petition incorporating all amendments on or before 23<sup>rd</sup> April, 2021.

(vi) Upon service newly added respondent no. 38 shall file its reply on or before 7<sup>th</sup> June, 2021.

(vii) List on 11<sup>th</sup> June, 2021.

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