

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

**SPECIAL SUIT NO.2 OF 2013**

Hiramani G. Biyani .....Plaintiff  
V/s.  
Jyoti Mehta and Ors. ....Defendants

Mr. Pradeep Sancheti, Sr. Advocate, with Ms. Pallavi Bali, i/by Mr. Dinesh P. Guchiya, for the Plaintiff.

Mr. Vivek Sharma for Defendant Nos.1A to 1C and 2.

Mr. J. Chandran, i/by Leena Adhvaryu and Associates, for Defendant No.4- Custodian.

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

**DATE : 19<sup>TH</sup> MARCH, 2021.**

**P.C. :**

1. Learned counsel for the plaintiff submits that although amendment was permitted on 26<sup>th</sup> February 2021, amendment could not be carried out because there were errors in the schedule of amendment. Learned counsel for the plaintiff seeks leave to correct the schedule to the extent of renumbering paragraphs in the schedule of the amendment already allowed. Leave is granted.
2. Amendment is allowed in terms of the corrected schedule of amendment. Amendment to be carried out forthwith. List the Suit at 2:30 p.m. today for recording compliance of the aforesaid directions.

Called out at 2:30 p.m.

3. Pursuant to filing of the additional written statement and the amendment carried out in terms of the order dated 26<sup>th</sup> February 2021 and the aforesaid directions, Mr. Sancheti states that as regards the alternative prayer no.(a)(v) in the suit, it would have to be ascertained whether the 6950 shares of defendant no.3 have in fact been sold. The Custodian has in his written statement in paragraph 12 stated that it is not clear whether these shares were subject matter of these de-materialized shares and forming part of 58,660 shares of ACC Ltd. held by defendant no.5, which were transferred to her name prior to her notification. In the circumstances, Mr. Sancheti seeks time to ascertain this aspect.

4. On behalf of ACC Ltd., the learned Advocate appearing today states that she will be now entering appearance since the Firm of Advocates representing defendant no.3 thus far has been dissolved or no longer appears for the company. In view of paragraph 12 of the written statement, it would be appropriate that defendant no.3 produces the record pertaining to these 6,950 shares and to ascertain whether these shares were part of 58,660 shares of ACC Ltd.

5. List the Suit on 9<sup>th</sup> April 2021.

[A.K. MENON, J.]