

**IN THE SPECIAL COURT (TRIAL OF OFFENCES RELATING TO  
TRANSACTIONS IN SECURITIES) ACT, 1992 AT BOMBAY**

**SUIT NO.2 OF 2013**

Hiramani G. Biyani .. Plaintiff  
v/s.  
Jyoti Mehta & Ors. .. Defendants

**AND**

**SUIT NO.3 OF 2013**

Shrikant G. Biyani .. Plaintiff  
v/s.  
Jyoti Mehta & Ors. .. Defendants

Ms. Pallavi Bali i/b. Mr. Dinesh P. Guchiya for the plaintiff.

Mr. Vivek Sharma for defendant nos.1A, 1B and 1C and 2 in S/2/2013  
and for defendant nos.1A, 1B and 1C and 4 in S/3/2013.

None for defendant no.2.

Mr. J. Chandran a/w Ms. Shilpa Bhate i/b. Leena Adhvaryu & Associates  
for defendant no.4 in S/2/2013 and for defendant no.3 in S/3/2013.

**CORAM : A. K. MENON,  
JUDGE, SPECIAL COURT  
DATED : 26TH FEBRUARY, 2021**

**P.C. :**

1. The above suits are part of a group of three suits wherein the

plaintiffs all members of a family have made certain claims against the notified parties to whom certain shares were delivered. The plaintiffs had made submissions in suit no.1 of 2013 and proceed on the basis that suit no.2 of 2013 and 3 of 2013 are identical except for the change in the number of shares and the identity of the plaintiffs. However, today it is pointed out that in suit no. 2 of 2013 and 3 of 2013 suit shares of ACC Ltd. had been sold on or about 13<sup>th</sup> October, 2003 and accordingly on behalf of the Custodian leave is sought to file an additional written statements to place the same on record.

2. Mr. Sharma has no objection. He confirms that the shares of ACC Ltd. were sold and accordingly the shares do not now exist. In view thereof, plaintiffs seek time for amendments to the plaint to introduce appropriate averments to seek the monetary value of the shares sold and recast the reliefs. Since the companies are not represented today, I am of the view that an appropriate application must be filed.

3. In view thereof, I pass the following order;

(i) Leave is granted to the Custodian to file additional written statements in these suits.

(ii) Plaintiffs are at liberty to file an appropriate applications seeking amendments and serve it upon defendants.

(iii) Affidavit of service to be filed on or before 10<sup>th</sup> March, 2021.

(iv) No extension of time will be granted.

(v) S.O. to 12<sup>th</sup> March, 2021.

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