

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).370-373/2005

(From the judgement and order dated 12/01/2005 in CRLMA No. 11852/2004 & CRLMA No. 11853/2004 & CRLMA No. 12195/2004 & CRLMA No. 12196/2004 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

KETAN VINAYCHANDRA PAREKH

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T., intervention, stay, intervention and office report ))

WITH

S.L.P.(C) NO.1014 OF 2007

(With prayer for interim relief and office report)

Bank of India Versus Madhavpura Mercant.Co-op.Bank Ltd. & Ors.

Date: 21.02.2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE H.S.BEDI

For Petitioner(s)

Mr. Soli J. Sorabjee, Sr.Adv.

Ms. Kamini Jaiswal, Adv.

Ms. Shomila Bakshi, Adv.

Mr. Sandeep Parekh, Adv.

Ms. S. Dwivedi, Adv.

For Respondent(s)

Mr. E.C. Agrawala, Adv.

Ms. Hemantika Wahi, Adv.

Ms. Pinky Behera, Adv.

Ms. Shivangi, Adv.

Mr. S. Wasim A. Qadri, Adv.

Mr. Lakshmi Raman Singh, Adv.

Mr. C.A. Sundaram, Sr. Adv.

Mr. Nitin Thakkar, Sr. Adv.

Mr. Satish S. Shetty, Adv.

Ms. Rohini Musa, Adv.

Ms. Ruby Singh Ahuja, Adv.

Mr. Manu Aggarwal, Adv.

Mrs Manik Karanjawala, Adv.

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Mr. P. Parmeswaran, Adv.

Mr. R.N. Trivedi, Sr. Adv.

Mr. Kuldeep Parihar, Adv.

Mr. H.S. Parihar, Adv.

Mr. K.V.Viswanathan, Adv.  
Mr, Vikram Bajaj, Adv.  
Mr. Sanjeev Kumar, Adv.  
For M/S.Khaitan & Co. A.O.R. ,Adv

For Respondent No.1  
In SLP(C)1014/07

Mr. K.S.Nanavati, Sr.Adv.  
Mr. Huzefa Ahmadi, Adv.  
Mr. Nandish Chudgar, Adv.  
Mr. Sushma Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

CrI.M.P.No.11773 of 2006 in SLP(CrI.)No.370-373 of 2005

ner to Having heard counsel for the parties, we direct the petitio

deposit the instalment which falls due on 1st February, 2007 on or before

31st March, 2007. The payment schedule in all other respects shall

remain intact. Failure to deposit the instalment within the period

granted by this Order shall entail cancellation of bail.

S.L.P.(C) NO.1014 OF 2007

We have heard counsel for the parties.

It appears from discussion in Court that under the Reconstruction

Scheme, out of a sum of Rs.800 Crores which was to be contributed by

way of long term deposits, a sum of Rs.340 Crores has been received by

the Bank. Apart from that, a sum of Rs.400.93 Crores approximately has

been paid to the

...3/-

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Madhavpura Mercant. Co-op. Bank Limited by the DICGC meant for

payment to small depositors namely, persons with deposits of

Rs.1 lakh or less. Added to this, a sum of Rs.269 Crores approximately

has been deposited by Mr. Ketan Parekh pursuant to orders of this Court

in the Criminal matter. The total amount thus received by the

Madhavpura Bank is to the tune of Rs.1173 Crores which is said to have

been disbursed to its depositors.

We direct the Madhavpura Bank to prepare a detailed statement

as to how this amount has been disbursed. The disbursement may be

explained categorywise by classifying depositors of the Madhavpura Bank

having regard to the amount payable to the persons falling within

different categories viz. upto 10000/-, upto 25000/- upto 50000/-, upto 1

lakh, over 1 lakh and so on. We require these particulars in view of our

direction that the amounts shall be disbursed to small depositors i.e.

those who have small deposits of Rs.1 lakh or less.

A separate statement shall be prepared of amounts, if any, paid to

Cooperative Banks exceeding Rs.1 lakh.

The names of the depositors need not be given in the statements

so prepared, but only their number under each category be given.

In the meantime, the interim order shall continue but that will

not prevent the Madhavpura Bank from making payment

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-4-

to the small individual depositors who have deposited Rs.1 lakh or less

with the Madhavpura Bank.

We are informed that the statement will be filed within two

weeks.

The applications for intervention are allowed.

Put up these matters on 14th March, 2007.

(Sukhbir Paul Kaur)

Court Master

(Vijay Dhawan)

Court Master