

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 2155 OF 1999

STATE BANK OF SAURASHTRA

Appellant (s)

VERSUS

NATIONAL HOUSING BANK & ORS

Respondent(s)

(With office report)

With Civil Appeal Nos. 2294 & 3647 of 1999

(With Office Report)

Date: 19/01/2005 These Appeals were called on for further hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For State Bank of Saurashtra:

Mr. Ashok H. Desai, Sr.Adv.

Mr. Darius Khambatta, Adv.

Mr. Milind Sathe, Adv.

Mr. Jai A. Munim, Adv.

Mr. Sameer Parekh, Adv.

Mr. Sandeep Parekh, Adv.

Mr. Sanand Ramakrishnan, Adv.

Mr. Ritin Rai, Adv.

Ms. Ranjeeta Rohtagi, Adv.

Mr. Rajeev Mishra, Adv.

Mr. P.H. Parekh, Adv.

For National Housing Bank:

Mr. K. Parasaran, Sr.Adv.
Mr. Aspi Chinoy, Sr.Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Mohd. Himayatullah, Adv.
Mr. Pradeep R.Tiwari, Adv.
Mr. Manu Krishnan, Adv.
Mr. Rishi Agrawala, Adv.
Ms. Dhanalakshmi, Adv.
Mr. E.C. Agrawala, Adv.

For Custodian: Mr. S. Balakrishnan, Sr.Adv.

Mr. S. Prasad, Adv.

For Respondent(s) Ms. Anuradha Rastogi, Adv.

for Mr. S.V. Deshpande, Adv.

Respondents-in-person (NP)

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UPON hearing counsel the Court made the following

O R D E R

Mr.Parasaran, learned senior counsel, resumed his arguments at 10.45 a.m. and

concluded at 11.10 a.m. Mr.Aspi Chinoy, learned senior counsel, thereafter, made his

submissions upto 11.40 a.m.. Mr.S.Balakrishnan, learned senior counsel appearing for the

Custodian, commenced his arguments at 11.42 a.m. and concluded at 12.25 p.m.

Thereafter, in rejoinder, Mr.Ashok Desai made his submissions till 2.55 p.m.

Hearing concluded.

Judgment reserved.

Written submissions, if any, may be filed by the parties within one week.

(T.I. Rajput)

(N. Annapurna)

(V.P. Tyagi)

Court Master

Court Master

Court Master

List of Books Cited

- A. The Special Courts (Trial of Offences Relating to Transactions in Securities) Act, 1992
- B. The Negotiable Instruments Act, 1881
- C. The Indian Evidence Act, 1872
- D. The Indian Trusts Act, 1882
- E. Arbitration & Conciliation Act, 1996
- F. Industrial Disputes Act, 1947
- G. Transfer of Property Act, 1882
- H. Indian Contracts Act, 1872
- I. Benami Transactions (Prohibition) Act, 1988
- 1. 1963 Supl. (2) SCR 542
- 2. 1995 Supl.(3) SCC 81
- 3. 1998 (@) SCC 418 at 425
- 4. AIR 1931 PC 114
- 5. AIR 1940 PC 222
- 6. 1979 (4) SCC 83

7. 1991 (1) SCC 494 (Photocopy given)
8. 1998 (5) SCC 1 (Photocopy given)
9. 1994 (4) SCC 246
10. 1995 Supl.(4) SCC 286
12. 2001 (6) SCC 16 (Photocopy given)
13. 1999 (3) SCC 35 (photocopy given)
14. 1957 SCR 438 (photocopy given)
15. 1971 (2) SCC 617
16. 1958 SCR 781
17. Paget's Law of Banking (photocopy given)
18. Paget's Law of Banking, 12th Edition, Page 480
19. 2001 (3) SCC 71
20. AIR 1968 SC 1413 = 1968 (3) SCR 862 (photocopy given)
21. Judgments mentioned in Compliations given by
Mr.K. Parasaran, Sr.Adv.