

(
C.A.No. 5168 OF 2000
ITEM No.1

Court No.11

SECTION XVI
A/N MATTER

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

I.A. No. 10-11 & 15-18 In Civil Appeal No.5168/2000

SANCHAYANI SAVINGS INVESTMENT(I) LT.&ORS

Appellant (s)

VERSUS

STATE OF WEST BENGAL & ORS

Respondent (s)

(For appointment of Special Officer and exemption from filing the O.T. and direction and implementation and direction/clarification of Court's order dated 6.2.2004 and intervention and Office Report)

WITH I.A.19 & 20 (appln. for directions and permission to file additional documents)

Date : 26/04/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN KUMAR
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For Appellant (s)
Mr. S.V. Deshpande, Adv.

For Respondent (s)

Mr. Rana Mukherjee, Adv.
Mr. Siddharth Gautam, Adv.
Mr. Goodwill Indeevar, Adv.
Mr. Deba Prasad Mukherjee, Adv.

Mr. D. Mahesh Babu, Adv.

Mr. Ramesh Babu M.R., Adv.

Ms. Manisha, Adv.
Ms. Maya, Adv.

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Mr. G.K. Bansal, Adv.

Mr. B.B. Sawhney, Sr. Adv.
Mr. Mohd. A. Siddiqui, Adv.
Mr. Ritesh Kumar, Adv.

Ms. Indra Sawhney, Adv.

Mr. S.N. Bhat, Adv.

Ms. Hema Sahu, Adv.
Mr. P.C. Shrivastava, Adv.
Mr. C.L. Sahu, Adv.

Mr. Jaideep Gupta, Sr. Adv.
Mrs. Sarla Chandra, Adv.
Mr. Rana S. Biswas, Adv.

Mr. Shivaji M. Jadhav, Adv.

Mr. Vivek K. Thankha, Sr. Adv.
Mr. Prashant Kumar, Adv.
Ms. Pooja Dhar, Adv.

Mr. Ajit Kumar Pande, Adv.

Mr. Mukesh K. Giri, Adv.

UPON hearing counsel the Court made the following
O R D E R

The exemption is allowed.

The learned Counsel appearing on behalf of the Respondent, Mr. Sudipto Sen submits that the documents which were to be delivered to the Special Officer at Delhi in

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pursuance of the previous order, could not be delivered to him at Delhi because he was not willing to receive the same at Delhi. Ultimately, the documents were delivered in the office of the Special Officer on 23.4.2004. Learned Counsel, Ms. Pooja Dhar had gone personally to deliver the documents in the office of the Special Officer. She has brought to our notice that she had to face some embarrassment on account of alleged misbehaviour on the part of office of the Special Officer. Since it is stated so by the learned Counsel, we would appreciate that at the special officer files an affidavit by way of apology in this Court for the said alleged misbehaviour. Let this be done within one week from today.

Mr. P.K. Sarkar who is present in Court requests for four weeks' time to look into the material delivered on behalf of Mr. Sudipto Sen in the office of the special officer. He submits that there are large number of FDRs totalling approximately Rs. 2.5 Crores. Most of them have to be renewed which will require quite sometime. Further there are title deeds of properties for which he has to ascertain latest facts. Mr. Vivek Tankha, learned senior counsel appearing on behalf of Mr. Sudipto Sen submits that a list of debtors on account of loans and advances to the Company

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running to approximately Rs.21 crores has also been handed over to the special officer. Let the special officer also look into the list. An affidavit containing suggestions regarding further steps to be taken in this behalf be filed by the special officer within six weeks' from today. List the matter immediately after summer vacation.

I.A.No.10

By this application, the special officer has brought to our notice that the cost of publication in terms of para 1 of Order dated 6th February, 2004 is coming to about Rs.77 lacs. It is submitted that this will be a huge amount. In order to save cost the order be modified.

In para 1 of the order dated 6th February, 2004 it has been stated that the publication shall be made in six newspapers out of which four will be in English language and two in local language of different regions. This direction is modified so as to read "publication in three newspapers out of which two will be in English language and one in local language of the region concerned". Further it is stated in the said para that the publication shall be at least in six issues of the newspaper spreading over a period of one month. This direction is also modified so as to read as one insertion.

The I.A. is disposed of accordingly.

(Sukhbir Paul Kaur)
Court Master

(Kanwal Singh)
Court Master