

ITEM NO.2

COURT NO.3

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
 RECORD OF PROCEEDINGS  
 IA NO.96-97, 98-99, 114 &  
 Unregistered I.A.  
 in  
 CIVIL APPEAL NO. 5168 OF 2000

SANCHAYANI SAVINGS INVESTMENT(I) LT.&ORS Appellant (s)

VERSUS

STATE OF WEST BENGAL & ORS Respondent(s)

WITH I.A.NO.122(With appln(s) for directions and office report)

Date: 05/09/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
 HON'BLE MR. JUSTICE A.K. PATNAIK

For Appellant(s) Mr. Anoop G. Chaudhari, Sr. Adv.  
 Mr. Ashok Mathur, Adv.  
 Mr. Ashish Sethi, Adv.  
 Mr. Ugra Shankar Prasad, Adv.

Mr. Sanjay Bansal, Adv.  
 Mr. G.K. Bansal, Adv.

For Spl. Officer Mr. V. Giri, Sr. Adv.  
 Mr. C.K. Sasi, Adv.

For Respondent(s) Ms. Indira Jaisingh, ASG  
 Mr. Wasim Qadri, Adv.  
 Ms. Sonam Anand, Adv.  
 Mrs. Anil Katiyar, Adv.

Mr. P.P. Malhotra, ASG  
 Mr. Wasim A. Qadri, Adv.  
 Mr. Shailnder Saini, Adv.  
 Mr. S.N. Terdal, Adv.

Mr. Deba Prasad Mukherjee, Adv.

Mr. Arun K. Sinha, Adv.

St. of Chhattisgarh Mr. Atul Jha, Adv.  
 Mr. D.K. Sinha, Adv.

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Mr. Anip Sachthey, Adv.  
 Mr. Mohit Paul, Adv.  
 Ms. Shagun Matta, Adv.

Mr. Gaurav Jain, Adv.  
 Ms. Abha Jain, Adv.

Mr. C.L. Sahu, Adv.

Ms. Chandan Ramamurthi, Adv.

Mr. G.S. Chatterjee,Adv.  
Mr. G.K. Bansal,Adv.  
Ms. Indra Sawhney,Adv.  
M/S Suresh A. Shroff & Co. ,Adv.  
Mr. S.N. Bhat,Adv.  
Mr. Ugra Shankar Prasad,Adv.  
Mr. Goodwill Indeevar,Adv.  
Mr. D.S. Mahra ,Adv.  
Ms. Abha R. Sharma,Adv.  
Mr. Shivaji M. Jadhav,Adv.  
Mr. B.S. Banthia ,Adv  
Mr. Mukesh K. Giri ,Adv.  
Mr. Dilip Kr.Sharma,Adv.

(For RBI) Mr. Ramesh Babu M.R. ,Adv.  
Ms. Swati Sethra,Adv.  
Mr. Prashant Kumar,Adv  
Ms. Asha Gopalan Nair,Adv  
Mr. D. Mahesh Babu,Adv  
Mr. Vishwajit Singh,Adv  
Mr. Ashiesh Kumar,Adv  
Mr. Varinder Kumar Sharma ,Adv  
Mr. Shekhar Prit Jha,Adv

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Mr. Ajit Kumar Pande,Adv  
Mr. Ajay Choudhary,Adv  
Ms. Vibha Datta Makhija,Adv  
Mr. Ravindra Keshavrao Adsure,Adv  
Mr. P.V. Dinesh,Adv  
Mr.Gaurav Agrawal,Adv  
Ms.Jyoti Mendiratta,Adv  
Ms. Anagha S.Desai,Adv  
Ms. Sushma Suri,Adv.

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

Re: I.A.NO.118/2011

The application is by a purchaser of the property in a court auction and a sale deed was executed by the Special Officer on 18.11.2008.

The question in the IA is in regard to the payment of property taxes prior to the date of sale. The applicant seeks a direction to the Special Officer to pay the property tax dues till the date of sale.

The Enquiry Authority has recommended that the special Officer should bear a sum of

₹ 7,90,000/- (Rupees Seven Lakhs Ninety Thousand) towards the tax liability being 50% of the total tax liability in full discharge of the obligations towards property tax and the purchaser applicant to pay the balance. All sides have agreed for the said order. The said recommendation is accepted and I.A.No.118/2011 is disposed of accordingly.

Re: I.A.Nos.96-97 , 98-99 of 2008

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The Enquiry Authority has recommended the dismissal of these applications for non-prosecution. Having considered the recommendation, it is accepted and the applications (I.A.Nos.96-97, 98-99 of 2008) are dismissed.

Re: I.A.NO.114

List the I.A. on a non-miscellaneous day.

Re: I.A.NO.122/2011

Issue notice on I.A.122/2011 filed by the Depositors' Association.

Fees of Enquiry Authority

The Enquiry Authority's fee per day (on days of functional hearing) is fixed at

₹ 50,000/-(Rupees Fifty Thousand).

The Special Officer is directed to disburse the said amount to the Enquiry Authority.

List the matter in November, 2011 on a non-miscellaneous day.

(O.P. Sharma)  
Court Master

( M.S. Negi )  
Court Master