

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 (Civil) No(s).29599/2009

(From the judgment and order dated 01/09/2009 in WP No.7729/2009 of The HIGH COURT AT CALCUTTA)

KOTAK MAHINDRA BANK LTD.

Petitioner(s)

VERSUS

HINDUSTAN NATIONAL GLASS & IND.LTD.& ORS

Respondent(s)

(With application for intervention, prayer for interim relief and office report)

WITH

SLP(C) NO. 27730 of 2011

[EMCURE PHARMACEUTICALS LTD. & ANR. V. ICICI BANK LIMITED & ORS.]

(With prayer for interim relief and office report)

SLP(C) NO. 28477 of 2011

[FINOLEX INDUSTRIES LD. & ANR. V. R.B.I. & ORS.]

(With application for permission to place additional documents on record, directions, permission to file additional documents, seeking permission to place on record additional events/documents, prayer for interim relief and office report)

Date: 28/08/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s)

in SLP 29599

Mr. Dhavan Jumani, Adv.

Mr. Krishnan Dev, Adv.

Mr. Yogesh, Adv.

Mr. Senthil Jagadeesan, Adv.

In SLP 27730

Mr. Soli J. Sorabjee

Mr. Chander Uday Singh, Sr. Adv.

Mr. Shyel Trehan, Adv.

Mr. Hitesh Jain, Adv.

Ms. Diya Kapur, Adv.

Ms. Pooja Tidka, Adv.

Mr. Nikhil Pillai, Adv.

Mr. Arjun Puri, Adv.

Mr. Vikas Mehta, Adv.

In SLP 28477

Dr. Abhishek Manu Singhvi, Sr. Adv.

Mr. Amit Bhandari, Adv.

Ms. Manik Joshi, Adv.

Mr. Chetan Kapadia, Adv.

Mr. R.N. Karanjawala, Adv.

Ms. Manik Karanjawala, Adv.

Ms. Ruby Singh Ahuja, Adv.

Ms. Ruchira Gupta, Adv.

Mr. Jatin Mongia, Adv.

Ms. Deepti Sarin, Adv.

Mr. Siddhant Kochhar, Adv.

For M/S. Karanjawala & Co., Advs.

For Intervenor (s) Mr. Soli J. Sorabjee, Sr. Adv.  
In SLP 29599 Mr. Chandra Uday Singh, Sr. Adv.  
In IA No. 2 Mr. Hitesh Jain, Adv.  
Ms. Diya Kapur, Adv.  
Mr. Shyel Trehan, Adv.  
Mr. Vikas Mehta, Adv.  
Ms Pooja Tdka, Adv.  
Mr. Nikhil Pillai, Adv.  
Mr. Arjun Singh Puri, Adv.

In IA No. 1 Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Amit Bhandari, Adv.  
Ms. Manik Joshi, Adv.  
Mr. Chetan Kapadia, Adv.  
Mr. R.N. Karanjawala, Adv.  
Ms. Manik Karanjawala, Adv.  
Ms. Ruby Singh Ahuja, Adv.  
Ms. Ruchira Gupta, Adv.  
Mr. Jatin Mongia, Adv.  
Ms. Deepti Sarin, Adv.  
Mr. Siddhant Kochhar, Adv.  
For M/s. Karanjawala & Co., Advs.]

For Respondent(s)  
For RBI in all Mr. Jaideep Gupta, Sr. Adv.  
SLPs Mr. H.S. Parihar, Adv.

For RR Nos. 1 & 7 Mr. Bhaskar P. Gupta, Sr. Adv.  
in SLP 29599 Mr. Ratnakar Banerjee, Adv.  
Mr. Snehal Kakrania, Adv.  
Mr. Sanjeev Kapoor, Adv.  
For M/S. Khaitan & Co., Advs.

For RR No. 4 in  
SLP 29599 Mr. Sumeet Lall, Adv.

For RR in SLP Mr. Dushyant Dave, Sr. Adv.  
27730 Mr. S. Ganesh Sr. Adv.  
Mr. Bharat Sangal, Adv.  
Mr. Vikram Trivedi, Adv.  
Mr. Sachin Chandrana, Adv.  
Ms. Srijana Bana, Adv.  
Ms. Ramandeep Kaur, Adv.

For RR No. 3 in  
SLP 28477 Mr. Ashok H. Desai, Sr. Adv.  
Mr. L.K. Bhushan, Adv.  
Mr. Anirudh Kumar, Adv.  
Mr. Hosidarwadia, Adv.  
Mr. Faisa Alexander, Adv.  
For M/S. Dua Associates, Advs.

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

Mr. Ashok H. Desai, learned senior counsel appearing for the Deutsche Bank, respondent No. 3 in SLP No. 28477/2011 resumed his arguments at 10:50 a.m. and concluded at 11:40 a.m. Thereafter Mr. Jaideep Gupta, learned Senior Counsel appearing for the Reserve Bank of India in all the three Special Leave Petitions made his submissions till 12:45 p.m. Then Dr. Abhishek Manu Singhvi representing the petitioners in SLP(C) No. 28477/2011 took over and was on his legs when the Court rose for the day.

Heard in part.

In the Master Circular dated 1st July, 2008 there is a mention in the introduction that pursuant to the instructions of

the Central Vigilance Commission for collection of information on wilful defaults of ` 25 lakhs and above by RBI and dissemination to the reporting Banks and Financial Institutions, a Scheme was framed by RBI with effect from 1st April, 1999

under which the banks and notified All India Financial Institutions were required to submit to RBI the details of the wilful defaulters.

We call upon the RBI to file along with an affidavit the aforesaid instructions of the Central Vigilance Commission and the Scheme framed by the RBI with effect from 1st April, 1999. This shall be filed by Thursday, the 30th August, 2012.

List the matter tomorrow i.e., Wednesday, the 29th August, 2012 as part-heard for further hearing.

[KALYANI GUPTA]  
COURT MASTER

[M.S. NEGI]  
COURT MASTER