

**BEFORE THE COMMITTEE CONSTITUTED UNDER THE
BOMBAY HIGH COURT ORDER DATED 2nd SEPTEMBER 2014
IN SUIT NO. 173 OF 2014 AND OTHER RELATED SUITS
COMPRISING OF MR. JUSTICE V.C.DAGA (RETD.) CHIARMON,
MR. J.S.SOLOMON (ADVOCATE AND SOLICITOR-MEMBER)
AND MR. YOGESH THAR (CHARTERED ACCOUNTANT
MEMBER)**

MODERN INDIA LIMITED & ORS

..PLAINTIFFS

VS.

FINANCIAL TECHNOLOGIES (INDIA) LTD.

AND OTHERS

..DEFENDANTS

APPEARANCES:

Mr. Ameet Naik, i/b Naik, Naik and Co.with, with Ms.Anuja Jhunjhunwala and Ranju Yadav, Advocate for NSEL

Mr. Sachindra Dube, Mr. Niraj Sharma, M.M.Anand, Mr.Joseph Massey, Mr. Belari Lal, and Mr. H.B.Mohanty for NSEL

Mr.Ravi Warriar with Ms. Hiral Thakkar, Adv,. i/b Federal and Rashmikant for plaintiff in Modern suit.

Mr.Bhushan Shah with Ms.Namrata Shah /b Mansukhlal Hiralal and Co. in L.J.Tanna suit.

Mr.Vijendra Mishra, Advocate for MSR Foods

Mr. Sanjay Kadam, A.C.P with Mr.Bharat Bhoite, P.I. and Mr. Mayekar, A.P.I. EOW, Crime Branch, Mumbai

Ms. Nidhi Shukla with Mr. Parth Sehan for NAARA

Mr. Surinder Aggarwal with Mr. Vimal Bafna for Metals & Trading General Co. (Ferrochrome)

Mr.Paresh H.Gerk with Mr. Suyash Jain for Bomji S.Mehta and Co.
Mr. Prakash Shah, Advocate with Mr.Shailesh R.K, Advocate with
Mr. Ravi Shankar for Metkore
Mr.UIday Tardarlkar for ANMI/.BBFCPA
Mr.S.P.Bharati, Advocate for Shri Radhey Trading Co.

ORDER SHEET NO. 15C
(Dated 14th January, 2015)

1. Mr. Vijendra Mishra, Advocate appearing for MSR Foods Processing appeared before the Committee. He prayed for adjournment on the ground that his client Mr. M. Sampat Rao has proceeded to some unknown destination in Kerala for taking Ayurvedic treatment. That he is not aware of his whereabouts.

2. EOW has also made a statement that they had gone to the house of Mr. Rao to interrogate him. However, he was not available at home. It is needless to mention that in spite of specific direction to appear before this Committee vide Order Sheet No.14-C dated 22nd December, 2014, Mr. Sampat Rao has been avoiding to appear before this Committee. On the last date of hearing a statement was made by his Advocate that he was bedridden. In support thereof a medical certificate was produced. Today, during the course of hearing a statement is made that he has left for Kerala to take Ayurvedic treatment. It appears he does not want to comply with the directions issued by this Committee. Co/

3. EOW has pointed out that his 11 properties are already attached by them and that 4 properties are yet to be attached. Since Mr. Sampat Rao is avoiding to appear before this Committee and chose to appear through his Advocate only to seek adjournment, it is necessary that NSEL to obtain appropriate order for attachment of remaining 4 properties and appointment of the Court Receiver on 11 + 4 properties of Mr. Sampat Rao and to Co/

take steps to get the same disposed off through the Court Receiver of the Hon'ble High Court.

4. The Committee, on the above backdrop, recommends to the Hon'ble High Court that the aforesaid action needs to be initiated. NSEL may apply to the Hon'ble High Court in Third Party Notice no.5 of 2014 in Suit No.173 of 2014.

5. Stand over to 4th February, 2015 at 2.00 p.m.



JUSTICE V.C. DAGA (RETD.)
CHAIRMAN



MR. J.S.SOLOMON
(ADVOCATE AND SOLICITOR-MEMBER)



MR. YOGESH THAR
C.A.MEMBER.