

**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.) CHAIRMAN, 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. Chirag Kamdar, Ms. Anuja Jhunjunwala, Ms. Rishika Harish,
Ms. Purvi Doctor, Ms. Saloni Sulakhe, and Ms. Vamika Kaul,
Advocates i/b Naik Naik and Co. for NSEL

Mr. S. D Mohanty and Mr. Rushikesh Sutawane, Representatives of
NSEL

Mr. Rao Killan, Advocate with Mr. Sunny Nagpal and Mr. Ashish
Bhatt, Accountant for Shree Radhey Trading Co.

Mr. Swapnil Bangur, Advocate with Mr. Rahul Karnik, Mr. Sachin
Deshpande, Mr. Yash Kapadia and Ms. Shivani Soni, Advocates for
Motilal Oswal Commodities Brokers Pvt. Ltd.

Mr. Rajesh Kamani- Investor of NSEL

Mr. Ajay Dalmic for NIF

Mr. Akshay Patil and Ms. Hiral Thakkar, AdvocateS i/b Federal &
Rashmikant for Modern India Suit

Mr. Aravind N. Wadhankar, Sr. PI, EOW

**ORDER SHEET NO. 60
(Dated 11th March, 2016)**

1 Heard.

2 Shree Radhey Trading Co. is directed to comply with the
following directions.

- i) Part of the records in respect of the following parties is
available with the Committee, viz.

- 1) Shree Radhey Trading Co.
- 2) M/s Harsha Traders
- 3) Shree Krishna Trading Co.
- 4) M/s Suavity Trading Co. Pvt. Ltd.
- 5) R. S. Nagpal Traders Pvt. Ltd.

A list of details in respect of the above 5 Companies that are available with the Committee has been handed over to the representatives of Shree Radhey Trading Co. The list also contains the details which are not available and the Committee has requested the representatives to provide the details of Purchase Register, Sales Register, Income Tax Returns as well as Sales Tax Returns, Purchase Invoices, Sales Invoices for the financial years 2011-2012 to 2013-2014 which are not available with the Committee as per the list given.

ii) A statement giving discrepancies found by the Committee in respect of the Sales and Purchases as per the relevant registers, Profit and Loss Account submitted to the Committee and Sales Tax Returns is also handed over to the representative of Shree Radhey Trading Co. for the years 2011-2012, 2012-2013 and 2013-2014 in respect of the five companies, viz.

- 1) Shree Radhey Trading Co.
- 2) M/s Harsha Traders
- 3) Shree Krishna Trading Co.
- 4) M/s Suavity Trading Co. Pvt. Ltd. and
- 5) R. S. Nagpal Traders Pvt. Ltd

The Committee has requested them to provide explanation as regards the said discrepancies on the next date of hearing.


3 Shree Radhey Trading Co. has filed written submissions today giving details of certain documents which are not found in the record of the Committee and which have been provided by EOW for

which inspection was taken by them yesterday i.e. on 10th March 2016. They have submitted at the time of hearing and agreed to provide the copies thereof to the Committee on the next date of hearing. The two documents which are not there with them are purchase file of Shri Krishna Trading Co. for the period 2011-2012 and 2012-2013 and purchase and sales summaries of (i) Shri Krishna Trading Co., (ii) Shree Radhey Trading Co., (iii) M/s Harsha Traders, (iv) R.S. Nagpal Traders Pvt. Ltd. and (v) Suavity Trading Co. Pvt. Ltd. for both the years. Barring the above said two documents, all other documents which are stated in the submission filed today will be made available to the Committee by Shri Radhey Trading Co. at the next date of hearing.

4 EOW has made a statement that all the documents which were taken by them from Shree Radhey Trading Co. have been submitted to the Committee of which inspection was given to the representatives of Shree Radhey Trading on 10th March, 2016 and no other documents as mentioned in the submission filed by Shree Radhey Trading Co. are with them.

5 **Proceedings are adjourned to 26th and 27th April, 2016 at 2 p.m. with directions to comply with the requirements indicated hereinabove.**


JUSTICE V.C. DAGA (RETD.)
CHAIRMAN


MR. J.S. SOLOMON
ADVOCATE AND SOLICITOR


MR. YOGESH THAR
CHARTERED ACCOUNTANT

M E M B E R S

