

ITEM Nos.1+3

COURT NO.2

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 761-762/2021

THE STATE OF TELANGANA REPBY SPECIAL
OFFICER VANDHANA & ORS.

Appellant(s)

VERSUS

M/S HEERA GOLD EXIM PRIVATE LIMITED & ORS.

Respondent(s)

WITH

W.P.(Cr1.) No. 31/2020 (X)

Item No.3

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 5966-
5967/2021

Date : 10-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Parties

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Mr. E. Vinay Kumar, Adv.

Mr. Anand Dilip Landge, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya A. Pande, Adv.
Mr. Avineesh Jha, Adv.

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

We have perused the affidavits including the last additional affidavit.

On examination of the material on record we issue the following directions:-

(1) Learned ASG is right in contending that insofar as the entertainment of claims are concerned there must be

a deadline. In fact claims beyond the deadline earlier fixed have been received and processed. We must put a finality to the issue and thus fix 30th November, 2022 as the last date for receiving any claims where-after it will be presumed that the claims have been abandoned/ do not exist. Sufficient advertisement must be given for the said purpose.

(2) There is a large discrepancy between the amount assessed by the tax authorities as realizable from sale of property as compared to what petitioners have stated before us. While the properties are assessed at over 110 crores, Mr. Ranjit Kumar, learned senior counsel states that they have ready buyers which will fetch a price amount over Rs.800 crores. We, thus, permit the petitioners to file their offer in a sealed cover as logically the buyer(s) would not like disclosures of all details. We have emphasized to them the importance of prompt payment specially of an amount of Rs.400 crores which would be sufficient to satisfy all the investors so far. Needless to say that any attachment of this land would be agreed to be lifted or lifted by this Court to facilitate the same.

(3) The bill of the tax consultant can be paid out of the amounts lying with the SFIO.

(4) The investigation is stated to have been completed which is kept by the SFIO. For the time being it may not be submitted to the competent Court.

(5) Insofar as FSL lab is concerned, the story is almost 4 years old but still the report has not come as yet. SFIO to once again take up the issue of ensuring that finality is put to the issue of the FSL report as according to the petitioners some of the challenges expressed by the tax consultant also arise from the seizure of the computers and the same lying with the FSL lab.

(6) The petitioners would continue to assist the authorities for verification of claims.

(7) It is contended on behalf of the petitioners that still NBWs are issued from different courts in different states even though complete investigation is now with the SFIO. This matter may be looked into by the SFIO and the States will provide requisite data. The petitioners may also provide the requisite details. We have indicated that we will attend to this matter once the money is brought into this Court.

List on 05th December, 2022 for perusing the sealed cover offer from the buyers.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER