

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

Miscellaneous Application No. 647/2021
in SLP(Crl.) D No. 5000/2019

THE UNION TERRITORY OF PONDICHERRY

Petitioner(s)

VERSUS

PNL NIDHI LTD & ORS.

Respondent(s)

(IA No. 134124/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 62206/2021 - CONDONATION OF DELAY IN FILING)

WITH Diary No(s). 10655/2021 in SLP(Crl.) D No. 5000/2019
(IA No. 55883/2021 - STAY APPLICATION)

Date : 26-07-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE J.K. MAHESHWARI

By Courts Motion, AOR

For Petitioner(s) Mr. A. Venayagam Balan, AOR

Mr. Aravindh S., AOR
Mr. A.Lakshmi Narayanan, Adv.

For Respondent(s) Mr. K.G.Raghavan, Sr. Adv.
Mr. Abhinav Hansaria, AOR

Mr. Siddharth Dave, Sr. Adv.
Ms. Anindita Mitra, AOR
Ms. Vidhi Thaker, Adv.

Mr. M. P. Vinod, AOR

Mr. Anand Sathiyaseelan, Adv.
Mr. Tuhin, AOR

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

Delay condoned.

On 06.05.2022, this Court passed the following order:

"On 17th February, 2022 this Court passed the following order:

"We request the High Court of Judicature at Madras to dispose of the pending Writ Appeal Nos.3011, 3012, 3015 of 2021 and Writ Appeal Nos.13048, 13110 and 13550 of 2022 within two months.

List after two months."

Learned Counsel for the parties submit that the aforesaid Writ Appeals have not been disposed of so far by the High Court. We are also informed that the High Court is reopening in the first week of June, 2022.

We once again request the High Court to dispose of the aforesaid Writ Appeals on or before 30th June, 2022. The Registrar (Judicial) of the High Court of Judicature at Madras is directed to list these Writ Appeals before the appropriate Bench on 6th June, 2022.

The Registry is directed to communicate this order to the Registrar (Judicial), High Court of Judicature at Madras forthwith.

List on 26th July, 2022."

It is not in dispute that Writ Appeal Nos.3011, 3012, 3015 of 2021 and Writ Appeal Nos.13048, 13110 and 13550 of 2022 have been dismissed by the High Court of Judicature at Madras.

In view of the above, learned counsel for respondent no.2 in SLP(Crl.) D.No.5000/2019 has made a request in his letter dated 06.04.2021 which has been numbered as M.A.647 of 2021 in SLP(Crl.) D.No.5000/2019 to release

the amount of Rs.100 crores deposited by respondent No.3
in the registry of this Court as under:

"6. Therefore, as directed by the Hon'ble High Court Madras dt. 18.03.2021, the following request is made to the Registry to pre-close the Fixed Deposit and disburse the amount in the following manner:

- a. A Demand Draft in favor of "PNL Nidhi Limited" payable at Puducherry for Rs.38,00,00,000/- (Rupees Thirty Eight Crores only).
- b. The Demand Draft be sent to the Administrator appointed by the Hon'ble High Court of Madras, Justice (Retd) Ms. R. Mala, residing at No.26, Balaji Garden, Annaikuppam, Anna Nagar, Cuddalore - 607 001, Mobile No.9498022266.
- c. Six separate Demand Drafts payable at Chennai, in the name of following parties/person for the remaining amount including interest accrued up to date in the following ratio:

Name of Party/Person	Ratio
Sheetala Credit & Holdings (P) Ltd.	20.1%
Satluj Credit & Holdings (P) Ltd.	19.8%
Twentieth Century APCO Leasing (P) Ltd.	6.8%
Rajat Chakra Credit & Holdings (P) Ltd.	19.8%
Calcom Credit & Holdings (P) Ltd.	19.8%
Mrs. N. Rajalakshmi	13.7%
Total	100.0%

The following are the account numbers of each of the aforementioned entities/persons in case the amount is to be transferred electronically via RTGS:

S.No.	Name of Party/Person	Account Number
1.	Sheetala Credit & Holdings (P) Ltd.	036109000053611
2.	Satluj Credit & Holdings (P) Ltd.	036109000053608
3.	Twentieth Century APCO Leasing (P) Ltd.	036109000053609

- | | | |
|----|---|------------------|
| 4. | Rajat Chakra Credit & Holdings (P) Ltd. | 036109000053607 |
| 5. | Calcom Credit & Holdings (P) Ltd. | 036109000053614 |
| 6. | Mrs. N. Rajalakshmi | 0361090000118841 |

The aforementioned accounts are maintained with City Union Bank, Mandaveli Branch, Chennai - 600028, having IFSC Code: CIUB0000036. A copy of the cancelled cheques along with the PAN Card has been annexed along with this letter as Annexure 5 and Annexure 6."

In view of that, the amount of Rs.100 crores deposited by the respondent no.3 in the registry of this Court with proportionate/accrued interest thereon, requires to be disbursed as per the request made in the aforesaid letter. Ordered accordingly.

At this stage, Mr. A. Venayagam Balan, learned counsel appearing for the applicant(s) in Diary No(s). 10655/2021 in SLP(Cr1.) D No. 5000/2019 submits that the Special Leave Petitions have been filed challenging the order dismissing the Writ Appeals passed by the High Court.

We hereby clarify that the disbursal of the amount, as above, is subject to the result of those Special leave Petitions which have been filed against the order of the High Court of Judicature at Madras.

Interlocutory application(s) and Miscellaneous Application(s) are accordingly disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(KAMLESH RAWAT)
COURT MASTER