

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

M.A.NOS.359-362 OF 2024
(IA No.262711/2023 - FOR CLARIFICATION)
IN

CRIMINAL APPEAL NOS.654-657 OF 2010

MADHAVPURA MERCANTILE COOPERATIVE BANK LTD. ... APPELLANT(S)

VS.

STATE OF GUJARAT & ORS. ... RESPONDENT(S)

O R D E R

IA No.262711 of 2023 for clarification has been filed by the applicant/respondent No.2 seeking clarification of the order dated 29th March, 2010 passed by this Court.

After lapse of 14 years, in the light of the finding recorded by this Court, there is no reason to modify the order dated 29th March, 2010. The submissions recorded in the said order made on behalf of the applicant clearly show that the grievance was only regarding the delay in deposit of Rs.380,00,00,000/- (Rupees three hundred eighty crores) + Rs.16,41,69,000/- (Rupees sixteen crores forty one lakhs sixty nine thousand). Hence, the application is rejected.

Miscellaneous Applications stand disposed of.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
February 19, 2024.

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 48744/2023

(Arising out of impugned final judgment and order dated 22-06-2023 in SCRA No. 2942/2016 passed by the High Court of Gujarat at Ahmedabad)

MADHAVPURA MERCANTILE COOPERATIVE BANK LTD.

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(IA No.15274/2024-CONDONATION OF DELAY IN FILING and IA No.15277/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.15279/2024-EXEMPTION FROM FILING O.T. and IA No.15282/2024-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

WITH MA 359-362/2024 in CrI.A. Nos. 654-657/2010
(IA No. 262711/2023 - CLARIFICATION/DIRECTION)

Date : 19-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s)

Mr. Harin P Raval, Sr. Adv.
Mr. Nandish Chudgar, Adv.
Ms. Anushree Prashit Kapadia, AOR
Mr. Gautam Prabhakar, Adv.
Ms. Shreshta Narayan, Adv.
Mrs. Shreshta Narayan, Adv.
Ms. Shreya Bansal, Adv.
Mr. Siddhartha Harin Raval, Adv.

For Respondent(s)

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

MA 359-362/2024 in CrI.A. Nos. 654-657/2010

The application is rejected and Miscellaneous
Applications stand disposed of in terms of the signed
order.

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 48744/2023

Delay condoned.

The application made by the petitioner contained a very wide prayer which could not have been granted in the light of the order dated 29th March, 2010 of this Court. Therefore, no interference is called for with the impugned orders. The Special Leave Petition is accordingly dismissed.

However, it will be open for the petitioner to apply to the learned Chief Judicial Magistrate for a limited modification only to the extent of interest on delayed payment of sums of Rs.380,00,00,000/- (Rupees three hundred eighty crores) and Rs.16,41,69,000/- (Rupees sixteen crores forty one lakhs sixty nine thousand). If such an application is made, the same shall be considered on its own merits.

Pending applications also stand disposed of.

(ANITA MALHOTRA)	(AVGV RAMU)
AR-CUM-PS	COURT MASTER
(Signed order in MA Nos.359-362/2024 is placed on the file.)	