

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4231 of 2022

Vishvanidhi Dalmia . . . Petitioner

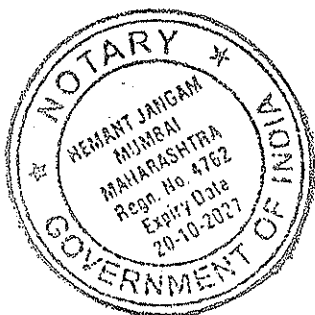
V/s.

State of Maharashtra & Ors. Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1

I, Mahadeo Kirwale, the Deputy Collector & Competent Authority (NSEL) appointed u/s 5 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 (hereinafter the 'MPID Act'), having my office at 2nd Floor, MPID branch, Old Customs House, Fort, Mumbai 400001, do hereby solemnly swear and state on behalf of the Resp. No. 1 as follows:-

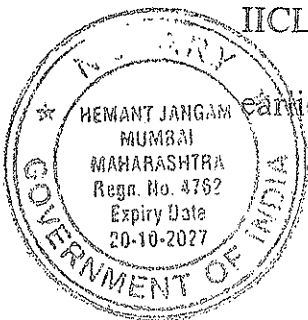
1. I say that on 18/6/2024, this Hon'ble Court was pleased to permit the Resp. No. 1 to file an additional affidavit in the above matter. I was authorized vide letter dated 5/7/2024, a copy of which is annexed herewith as Exhibit 'A', to file the affidavit on behalf of the Resp. No. 1 in the above matter. I am filing this affidavit on the basis of the office records.



2. I say that as per section 4 of the MPID Act, only the Government of Maharashtra can issue an attachment order. As per the scheme of the MPID Act, after the government issues an attachment order u/s 4 of the Act, the Competent Authority who is appointed u/s 5(1) of the Act has to apply to the Designated Court for such further orders as found necessary u/s 5(3) of the Act. I say that therefore, as per the scheme of the Act, the Competent Authority cannot decide about attachment of properties, which is the prerogative of the government.

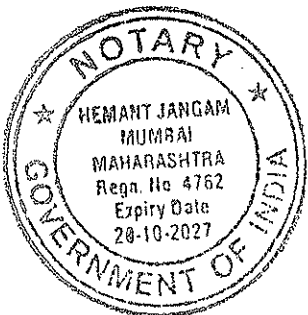
3. In view of the above, I reiterate the statement made by me in para 5 of my affidavit dated 16/5/2024 filed in the above matter. I have now gone through the say of the then Competent Authority Mr. Ravindra Rajput dated 2.5.2023 filed on behalf of the Competent Authority in Misc. Application No. 1572/2022, before Hon'ble MPID Court. I say that the statement made by Mr. Rajput in para 5 of his aforesaid say dated 2/5/2023 that: "..... the properties of IICL are liable to be attached and will be attached at the

earliest." was made without jurisdiction or authorization. I say



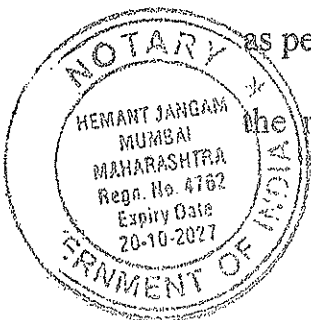
that only the Government is competent to take decisions with respect to attachment of properties under the MPID Act.

4. I say that the Government of Maharashtra took decision to attach the brokerage earned by IIFL from its clients, on the incomplete trades made on NSEL platform. Pursuant to this, the brokerage of Rs. 33.39 lakhs earned by IICL on the unsettled trades on the exchange was attached by the Government of Maharashtra vide the attachment order dated 4/4/2024.
5. I say that the brokerage of Rs. 6.89 crores referred to in para 15 of the Affidavit of the Petitioner dated 24/5/2024 filed in the above matter is the brokerage earned by IICL on the total trades of Rs. 8739.41 crores, of which the value of the unsettled trades amounted to Rs. 326.24 crores, Brokerage earned on the settled trades cannot be attached, since there was no default in payment on those trades.
6. Apart from the attachment order dated 4/4/2024, attaching the brokerage of Rs. 33.39 lakhs earned by IICL on the unsettled trades, in the interest of the depositors, and in order to repay



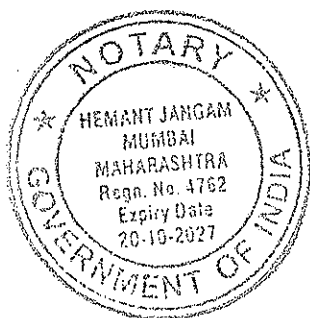
the depositors including the Petitioner, who have not been repaid their deposits made on the NSEL platform, the Government of Maharashtra has issued about 23 attachment orders dated 28/8/2014, 12/3/2015, 22/6/2015, 13/1/2016, 11/4/2016, 21/9/2016, 31/3/2017, 4/4/2018, 7/4/2018, 11/4/2018, 19/4/2018, 15/5/2018, 24/5/2018 (with corrigendum dated 31/7/2018 and 21/5/2019), 21/8/2018 (alongwith corrigendum dated 28/9/2018), 21/9/2018 (alongwith corrigendum dated 28/9/2018), 19/10/2018 (3 notifications), 21/1/2019, 12/2/2019, 18/4/2022, 16/11/2022, and 15/12/2022, in the present case, which arises out of EOW Crime No. 89/2018. By the aforesaid attachment orders the properties of the Financial Establishments involved, their Promoters, Directors, Partners, Managers, and Members have been attached. The Competent Authority has filed applications before the Designated Court u/s 5(3) of the MPID Act for making the attachment of the properties made vide the aforesaid attachment orders absolute. As and when the attachments of the properties are made absolute, the amounts received therefrom are distributed to the depositors/investors,

as per the Orders of the Designated Court. I say that the as per the records of distribution maintained by the office of the



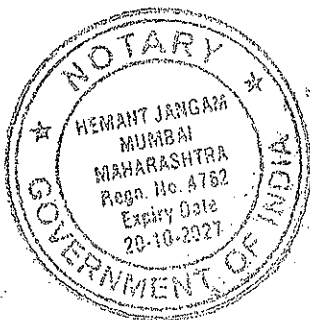
Competent Authority, the Petitioner has been paid an amount of Rs. 59,03,259,42/- till date, of which Rs. 53,33,911.39/- was paid by NSEL, and Rs. 5,69,343.03/- was paid by the Competent Authority. I crave leave to refer to and rely on the aforementioned attachment orders at the time of hearing of the petition.

7. At the present time, there is no material placed before the Government of Maharashtra justifying further attachments of the properties of IICL. No material has been placed before the government to show that IICL had received and retained any amounts from the unsettled trades on the NSEL platform, which it did not pay to its depositor/investor clients.
8. I say that attachment is an ongoing process. As and when reliable information which justifies attachments is placed before the Government of Maharashtra, appropriate action is taken thereon by the government, bearing in mind the object of the MPID Act.
9. In the future, if reliable information which justifies further attachment of the properties of IICL is placed before the



Government of Maharashtra, appropriate action will be taken, in keeping with the object of the MPID Act.

10. It is pertinent to note that while the Petitioner has made unfounded allegations of the Resp. No. 1 acting under the clout of the brokers in para 22 of his Affidavit dated 24.05.2024, it appears that the Petitioner has been colluding with the NSEL, which is the main accused in EOW Crime No. 89/2013. I say that NSEL had filed M.A. Mo. 1600/2018 before the Designated Court, and in the said application, had filed several documents concerning various payments made by it. Those documents reflect that the Petitioner was paid an amount of Rs. 2,70,000/- by NSEL on 2/5/2018, and in addition, he was provided with airline tickets, and taxi hiring costs. Copies of M.A. No. 1600/2018 and the relevant documents annexed thereto are annexed herewith as Exhibit 'B'. In view of this, the Petitioner's motives for filing the petition under reply are questionable.



11. In view of the above, nothing survives in the petition under reply, and hence it may be dismissed.

Place :- Mumbai.

Dated :- 09/07/2024

(Mahadeo Kirwale)

Deputy Collector & Competent Authority (NSEL)

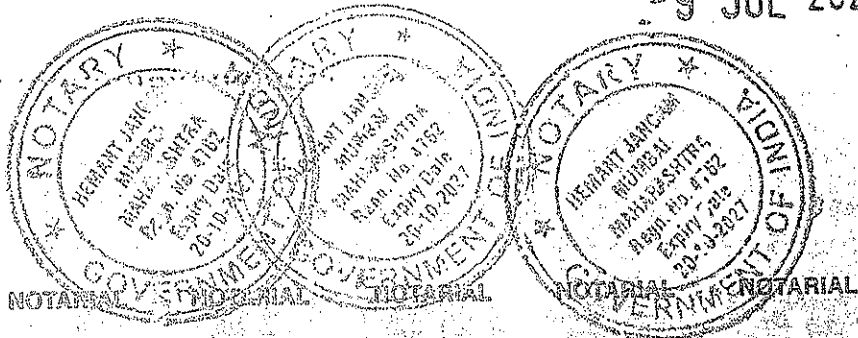
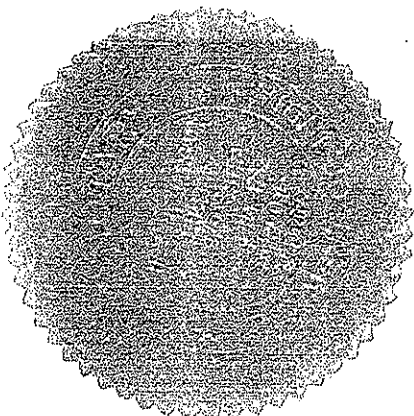
Identified by me.
Hemant Jangam
Ms. Belaven Gonsalves

BEFORE ME
HEMANT JANGAM
NOTARY, GOVT. OF INDIA
MUMBAI, MAHARASHTRA.

09 JUL 2024

Reg. No. 12147111
Sc. No. 12
09 JUL 2024

09 JUL 2024





महाराष्ट्र शासन

गृह विभाग

दुसरा मजला, मुख्य इमारत

मादाम कामा मार्ग, हुतात्मा राजगुरु चौक,

मंत्रालय, मुंबई ४०००३२.

दुरध्वनी व फॅक्स क्र.०२२ २२०२४८६९

E-mail id: home_pol11@maharashtra.gov.in

अतितात्काळ/ न्यायालयीन प्रकरण

क्रमांक : एमपीआय ११२३/प्र.क्र.७५२/भाग-१/पोल-११

दि: ०५ जुलै, २०२४

प्रति,

सक्षम प्राधिकारी तथा उपजिल्हाधिकारी,

एन.एस.ई.एल., मुंबई शहर

विषय : क्रिमीनल रिट पिटीशन क्र.४२३१/२०२२ सह अंतरीम अर्ज क्र.११७९/२०२३

विश्वनिधी दालमिया विरुद्ध महाराष्ट्र शासन व इतर

संदर्भ- १. मा. उच्च न्यायालय, मुंबई यांचे आदेश, दि.१८.०६.२०२४

२. जिल्हाधिकारी, मुंबई शहर यांचे पत्र क्र. एनएसईएल/शपथपत्र/मान्यता२०२४,

दि.२६.०६.२०२४

सोबत जोडलेले संदर्भाधीन आदेश कृपया पहावेत.

२. मे. आय. आय. एफ. एल. कमोडिटीज लि. (एन.एस.ई.एल.) या संस्थेच्या मालमत्तासंदर्भातील विषयांकीत न्यायालयीन प्रकरणी, मा. उच्च न्यायालय, मुंबई यांनी दि.१८.०६.२०२४ रोजी आदेश पारीत करून तीन आठवड्यांत प्रतिज्ञापत्र सादर करण्याबाबत सूचीत केले आहे.

३. सदर प्रकरणी सोबत जोडलेल्या प्रतिज्ञापत्राच्या प्रारूपानुसार प्रतिज्ञापत्र सादर करण्यासाठी शासनाच्यावतीने आपणास प्राधिकृत करण्यात येत आहे. प्रस्तुत प्रकरणी तात्काळ कार्यवाही करून केलेल्या कार्यवाहीबाबत शासनास अवगत करावे.

(चेतन रा. चव्हाण)

कक्ष अधिकारी, महाराष्ट्र शासन

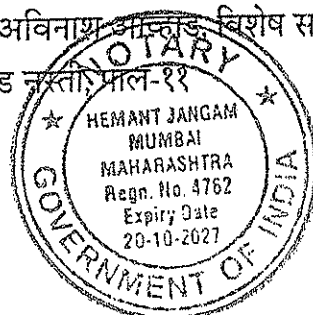
सोबत- वरीलप्रमाणे

प्रत माहिती तथा आवश्यक त्या कार्यवाहीसाठी-

१. वरिष्ठ पोलीस निरीक्षक तथा तपासी अधिकारी, एन.एस.ई.एल., आर्थिक गुन्हे शाखा, मुंबई

२. श्री. अविनाश अ. अ. विशेष सरकारी अभियोक्ता, उच्च न्यायालय, मुंबई

३. निवड नसती पोल-११



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Exhibit 'B'

BEFORE THE DESIGNATED COURT UNDER THE MPID ACT,

SESSIONS COURT, MUMBAI

MISC APPLICATION NO. OF 2018

IN

MPID SPECIAL CASE NO. 1 OF 2014

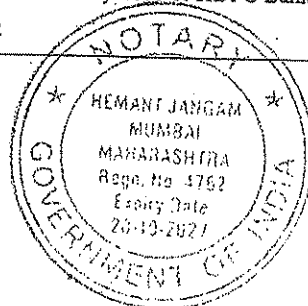
NATIONAL SPOT EXCHANGE LTD APPLICANT

VERSUS

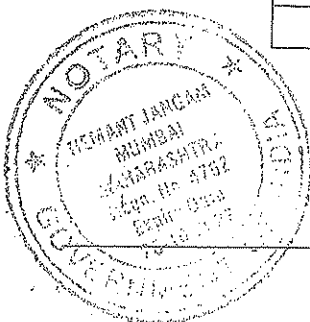
STATE OF MAHARASHTRA
(Through the Competent Authority) RESPONDENT

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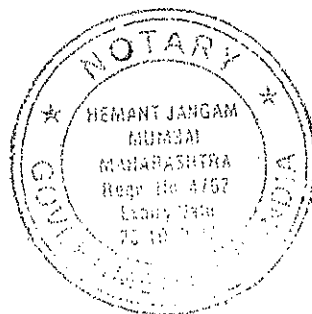
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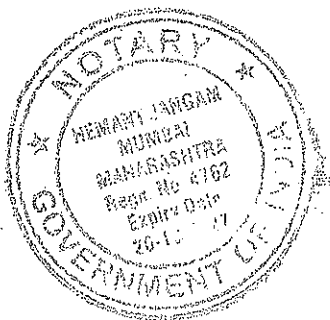
IN THE SPECIAL MPID COURT AT MUMBAI
MISC APPLICATION NO. OF 2018
IN
MPID CASE NO 1 OF 2014

National Spot Exchange Limited ...Applicant

VERSUS

State of Maharashtra (through Competent Authority) ... Respondent

PROFORMA



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IN THE SPECIAL MPID COURT AT MUMBAI
MISC APPLICATION NO. OF 2018

IN
MPID CASE NO 1 OF 2014

National Spot Exchange Limited

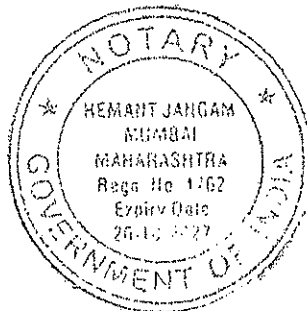
...Applicant

VERSUS

State of Maharashtra (through Competent Authority)

... Respondent

PROFORMA



IN THE SPECIAL MPID COURT AT MUMBAI
MISC APPLICATION NO. OF 2018
IN
MPID CASE NO 1 OF 2014

National Spot Exchange Limited

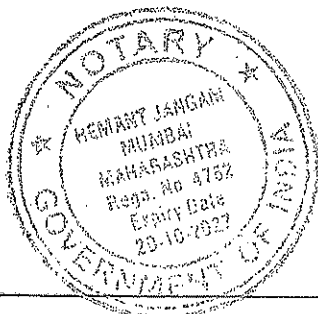
...Applicant

VERSUS

State of Maharashtra (through Competent Authority)

... Respondent

PROFORMA



C 10

IN THE DESIGNATED COURT UNDER THE MPID ACT
SESSIONS COURT, AT BOMBAY

MISC APPLICATION NO. ____ OF 2018

IN

MPID CASE NO. 1 OF 2014

M/s. National Spot Exchange Limited
A company registered under the Companies
Act 1956, having its registered office at 6th
Floor, Chintamani Plaza, Chakala, Andheri
Kurla Road, Andheri (East), Mumbai-400099
... Applicant

Versus

Competent Authority
(Appointed by the Government in
MPID Special Case No. 1 of 2014)
Having its office at Deputy Collector
Land Acquisition, First Floor, Old Custom
House, for Mumbai
... Respondent

APPLICATION UNDER SECTION 10 OF THE MPID ACT BY NSEL

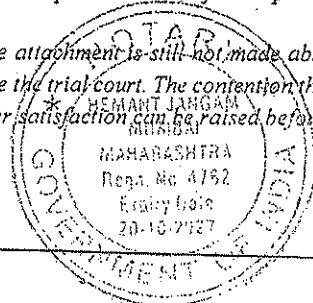
1. The Applicant is a company incorporated under the provisions of the Companies Act, 1956 having its office as mentioned in the cause title. One of the businesses of the Applicant was that it provided an electronic platform for trading of forward contracts of one day duration in commodities pursuant to the Notification dated 5th June 2007 issued by the Central Government.
2. By Notifications dated 21.08.2018 and 19.10.2018, the State Government has attached liquid assets worth about Rs 16.13 Crores belonging to the Applicant comprising of the following:
 - (a) Units of Reliance Liquid Fund worth about Rs 8.23 Crores;
 - (b) HDFC Bank Account having balance of about Rs 22,714/-; and
 - (c) 24 Bank Accounts having total balance of about Rs. 7.90 Crores.

Copies of the said Notifications dated 21.08.2018 and 19.10.2018 are annexed here-with as Exhibit - "A" and Exhibit - "B" respectively.

3. The Applicant challenged the above Notifications before Hon'ble Bombay High Court vide Crl WP Nos. 4371 and 4771 of 2018, respectively and had sought interim relief of release of funds for running its day to day operations. The said petitions were disposed of by Hon'ble High Court vide Order dated 17.12.2018 in the following terms :

"Heard respective counsel for the parties.

2. The attachment is still not made absolute and the proceedings are pending before the trial court. The contention that the attachment has been done without proper satisfaction can be raised before the trial court.



3. We are not inclined to deviate from the normal procedure prescribed in law in such matters.

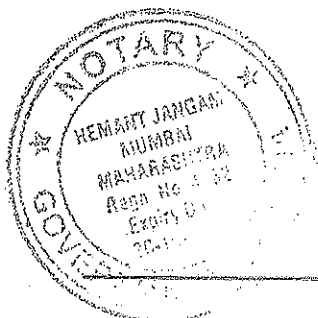
4. Hence keeping all the contentions of petitioner open and with a leave to move the trial court for expeditious orders in this respect, we dispose of the present petitions."

Copy of the said Order dated 17.12.2018 passed by Hon'ble High Court is annexed herewith as Exhibit-"C".

4. Accordingly, in terms of the above Order of Hon'ble High Court, the Applicant is approaching this Hon'ble Court under Section 10 of the MPID Act for release of funds as the Applicant is not able to pay Statutory dues, Government taxes, High Court Committee related expenses, Rent, Electricity and Telephone bills for its office premises, Salaries to its employees and Legal Fees for last three months. It is pertinent to mention that in the present CR. No. 89/13, the EOW has so far filed three charge sheets dated 06.01.2014, 04.06.2014 and 04.08.2014 respectively. However, the Applicant is neither named as accused nor a single rupee has been established as ill-gotten or illegal money trail to the Applicant in these chargesheets filed by the EOW-Mumbai so far, although the Applicant was named in the FIR dated 30.09.2013.
5. It is further a matter of record that while granting bail to one of the Non-Executive Directors of the Respondent, Hon'ble High Court of Bombay observed in its order dated 22.08.2014, that "though the case has been projected as a 'scam of Rs.5600 crores', it needs to be kept in mind that these amounts have not been received by NSEL". It is further observed that "the money invested has not come to NSEL, but has gone to the borrowers i.e. bogus sellers". SLP against the said Order dated 22.08.2014 was dismissed by the Hon'ble Supreme Court vide Order dated 17.11.2014. Hereto annexed and marked as Exhibit-"D" is a copy of the Order dated 22.08.2014, as Exhibit-"E" is a copy of the Order dated 17.11.2014.
6. Thereafter, the investigation also revealed that the entire trail of money (i.e. Rs 5,600 Crores) was traced to the 24 defaulters and the same was confirmed by the findings of the forensic audit conducted by the EOW in the course of investigation. No proceeds of crime were traced to the Applicant during the forensic audit conducted during investigation. The Applicant craves leave to refer to and rely upon the said forensic Audit Report as and when the need arises.
7. The properties attached by the Notification dated 21.08.2018 aggregating to about Rs 8.23 Crores (i.e. Rs 8.23 Crores in Reliance Nippon Mutual Fund and Rs 22,714 in Bank Account No. 00600340049202 of HDFC Bank, Mumbai) are clean and untainted properties of the Applicant. The same is evident from the source of these properties as given below :

(a) On 18th May 2018, Rs. 5,70,87,750/- (Rupees 5.71 Crores) was received by the Applicant in its Bank Account No. 02272740000010 with HDFC Bank, Mumbai, from the Income-tax Department by way of income-tax refund for Assessment Year 2014-15. Hereto annexed and marked as Exhibit - "F" is copy of Income-tax refund advice issued by the Income Tax Department in this regard.

(b) On 9th May 2018 and 17th May 2018, the Applicant received a sum of Rs. 2,50,85,310/- on each date totalling to Rs. 5,01,66,620/- (Rupees 5.01 Crores)

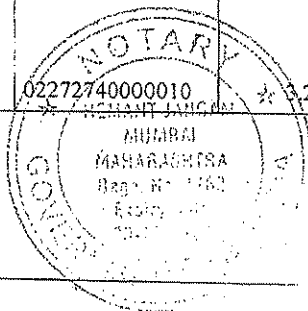


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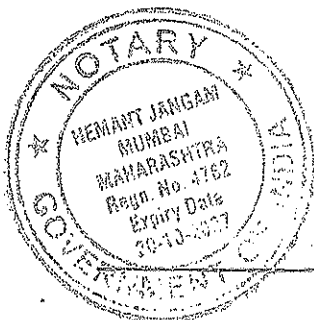
in its Bank Account No. 00600340049202 with HDFC Bank, Mumbai, by way of share application money from its parent company M/s 63 Moons Technologies Limited for allotment of 50,16,662 shares. Hereto annexed and marked as Exhibit - "G" is copy of Form No. PAS-3 filed by the Applicant with the Ministry of Corporate Affairs evidencing the same.

- (c) Out of the total amount of about Rs 10.72 Crores received by the Applicant from the above sources, total Rs 10.35 Crores were invested by the Respondent in Reliance Nippon Mutual Fund - Rs 2.40 Crores on 10th May 2018, Rs. 2.25 Crores on 18th May 2018 and Rs 5.70 Crores on 22nd May 2018 and the balance remained in the said bank account. The same is evident from the Bank Statement of the Applicant for the period of 1st May 2018 to 22nd May 2018 of HDFC Bank Limited Account No 02272740000010 and from 1st May 2018 to 18th May 2018 of HDFC Bank Account no 00600340049202, a copy of which is annexed herewith as Exhibit - "H".
- (d) Between May to August 2018, there were redemptions from Reliance Nippon Mutual Fund to meet the Applicant's day to day expenses. As a result, as on the date of the attachment, i.e. on 21.08.2018, the balance in the Reliance Nippon mutual fund was Rs 8.23 Crores.
9. Similarly, the monies lying in the 24 Bank Accounts of the Respondent attached by the Notification dated 19.10.2018 aggregate to about Rs 7.90 Crores, which are clean and untainted properties of the Applicant. The same is evident from the source of these properties as given below:

Name of the Bank	Account No.	Balance Rs	Source of funds
Axis Bank	004010200811408	10,000	Share application money received from 63 Moons on 22 July 2006. This is prior to NSEL even commencing business on 15.10.2008.
HDFC Bank	02272740000010	8,23,655	Rs 2,93,231/- being interest on Four FDRs aggregating to Rs 15.20 Lakhs which were created out of business operations account of the Applicant in October 2012. All these Four FDRs are 'lien marked' in favour of : (i) VAT authority, Karnal, Haryana (Rs 5 lacs); (ii) VAT authority, Indore, MP (Rs 20 thousand); (iii) Secretary, APMC Shamshabad, Andhra Pradesh (Rs 5 lacs) and (iii) Secretary, APMC, Tundla (Rs 5 lacs). and Rs 30,424/- out of Arbitration Award dated 1 st May 2017 against NAFED for Procurement Services provided by the Applicant to NAFED.



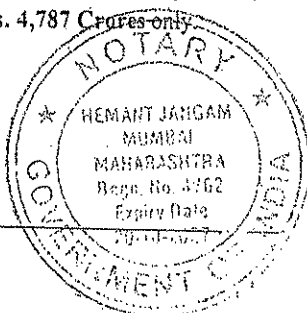
Kotak Mahindra Bank	09582560007070	833	FD Interest.
Syndicate Bank	50941010000813	27,120	(i) Sale of commodities by the Applicant unconnected with the Exchange platform; and (ii) Procurement Services of sugar, potato and coal.
Syndicate Bank	50944580000139/3 (FDR - opened on 29 Sept 2016)	1,20,22,537	Amount was transferred from proceeds of FDR with Indusind Bank. The said FDR was created on 22 nd Oct 2008 out of Members' Admission Fee charged by the Applicant.
Syndicate Bank	50944580000139/2 (FDR - opened on 6 Sept 2016)	90,35,768	(i) Sale of commodities unconnected with the Exchange platform; and (ii) Procurement Services of sugar, potato and coal.
Bandhan Bank	10180003724448	2,33,70,966	Arbitration Award dated 01 st May 2017 against NAFED for Procurement Services provided by NSEL to NAFED.
DCB Bank	02321300002028	2,00,000	Arbitration Award dated 01 st May 2017 against NAFED for Procurement Services provided by NSEL to NAFED.
Axis Bank Ltd	004010200811392	1,04,068	Residual Amount lying in Applicant's Settlement Bank Account.
Axis Bank Ltd	913020045065966	3,24,35,319	Applicant's E-Series Bank Account - This has been frozen by EOW, Delhi.
HDFC Bank Ltd	00990680013160	5,87,831	Residual Amount lying in Applicant's Settlement Bank Account.
Union Bank of India	319801010038225	2,81,766	Residual Amount lying in Applicant's Settlement Bank Account.
State Bank of India	30740074012	1,31,632	Residual Amount lying in Applicant's Settlement Bank Account.
State Bank of India	10996688339	0.00	Account No. changed by the Bank to 30740074012 due to Bank's System change requirements.
ICICI Bank Ltd.	000405070563	1,38,592	Residual Amount lying in Applicant's Settlement Bank Account
ICICI Bank Ltd.	054405005750	0.00	Account already closed.



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Kotak Mahindra Bank	09582650004642	97,770	Residual Amount lying in Applicant's Settlement Bank Account
Yes Bank Ltd	000183000000327	0.00	Account already closed.
Canara Bank	2426212000003	0.00	Residual Amount lying in Applicant's Settlement Bank Account
Bank of India	000820110000712	1,03,228	Residual Amount lying in Applicant's Settlement Bank Account
TOTAL		7,90,10,729	

10. Under Section 4 of the MPID Act, what can be attached in the first place is the "money or other property believed to have been acquired" by a financial establishment "from out of deposits collected" by it. Therefore, the State could not have attached the above-mentioned amounts of the Applicant as the same are unconnected with the alleged "deposits" under the MPID Act. In fact, the Notification dated 21.08.2018 does not even state that the properties being attached are believed to have been acquired from out of the deposits collected by the Financial Establishment.
11. The State could have attached any other property of the Applicant (i.e. the alleged Financial Establishment) only if it "transpires that such money or other property is not available for attachment or not sufficient for repayment of the deposits".
12. However, the following material being produced by the Applicant on record would show that there was no "insufficiency" at all as on the date of the said attachment i.e. as on 21.08.2018 and thereafter :
- (a) The alleged default amount to be paid out to the alleged investors as per the Application dated 06.04.2018 filed by the Competent Authority before this Hon'ble Court is Rs 5,380 Crore. Hereto annexed and marked as Exhibit "I" is a copy of the Application dated 06.04.2018 filed by the Competent Authority.
- (b) Out of this, about Rs 558 crores have already been paid out as stated in the Amalgamation Order dated 12.02.2016 passed by the Ministry of Corporate Affairs, Government of India. Hereto annexed and marked as Exhibit "J" is a copy of the Amalgamation Order dated 16.02.2016.
- (c) Thereafter, pursuant to Order dated 16.10.2018 passed by this Hon'ble Court in MA No. 384 of 2016, the Competent Authority has distributed a further sum of about Rs 35 Crores to the alleged investors.
- (d) Hence, the balance alleged outstanding amount payable to the so called investors as on date is Rs. 4,787 Crores only.



(e) As against this outstanding of Rs 4,787 Crores, as per the press release dated 24th July 2016, issued by the Ministry of Finance, Government of India stated that, "... So far, 831 properties worth Rs 7063 crores have been attached by the EOW, Mumbai Police under MPID Act, out of which attachment of 711 properties worth Rs. 6,115 crores have been notified in the Gazette of Government of Maharashtra...." Hereto annexed and marked Exhibit - "K" is a copy of the Press Release dated 24 July 2016.

(f) On 05.08.2016, in Reply to the a query raised in the Parliament, the Minister of State for Finance stated on the floor of the House that properties worth more than Rs 6,000 Crores were attached by the State of Maharashtra under the MPID Act. Hereto annexed and marked Exhibit - "L" is a copy of the said Parliament Reply dated 05.08.2016.

(g) Further, on 03.02.2017, in Reply to the a query raised in the Parliament, the Minister of State for Finance stated on the floor of the House that properties worth Rs 8,583 Crores of the alleged defaulters were attached by the State of Maharashtra under the MPID Act. Hereto annexed and marked Exhibit - "M" is a copy of the said Parliament Reply dated 03.02.2017.

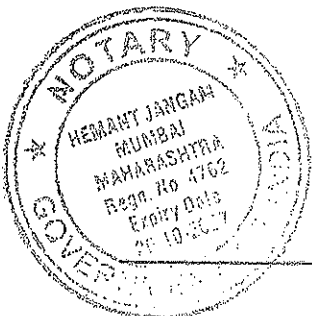
(h) Furthermore, as per the Remand Application dated 10th November, 2017 filed by the EOW before this Hon'ble Court, the properties attached/secured by the State under the MPID Act are worth around Rs. 8,548 crores, comprising mainly of the assets of the Defaulters against whom clear money trail has been traced by the EOW. Hereto annexed and marked Exhibit - "N" is a copy of the said Remand Application dated 10 November 2017.

(i) In fact, the State has filed an Affidavit dated 09.10.2018 in WP No. 1181 of 2018 before Hon'ble Bombay High Court accepting therein the figure of attachment of Rs 8,548 Crores as of November 2017. Copy of the said Affidavit dated 09.10.2018 is annexed herewith as Exhibit - "O".

(j) Hon'ble High Court of Bombay, after taking note of the above material as well as the Affidavit filed by the State, has given a prima facie finding vide its Order dated 24.10.2018 passed in WP No. 1181 of 2018 that as against the current outstanding alleged deposit amount of Rs. 4,822 Crores, the value of properties already attached by the State exceeded well beyond Rs 5,600 Crores in the year 2017 itself. Hence, the further attachments of 63 moons' properties made in the year 2018 by the State are excessive, arbitrary and unreasonable. In view of the said Order of Hon'ble High Court of Bombay, it is no longer open for the State to argue before this Hon'ble Court that the properties of the Respondent were attached on 21.08.2018 and thereafter on 19.10.2018 because of "insufficiency" of the attachments already made. Copy of the Order dated 24.10.2018 of Hon'ble Bombay High Court (as amended vide Order dated 02.11.2018) is annexed herewith as Exhibit - "P".

(k) Thus, well prior to the attachment of the Applicant's properties vide the Notifications issued in August and October 2018, the value of the attached properties was more than sufficient to meet / repay the alleged default amount of Rs 4,787 Crores.

(l) Hence, it is evident from the above documentary evidence placed on record by the Applicant that there is no "insufficiency" at all in so far as repayment of the dues of the alleged depositors is concerned. Therefore, the attachment of the Applicant's clean and untainted properties vide Notifications dated 21.08.2018 and 19.10.2018 is not only



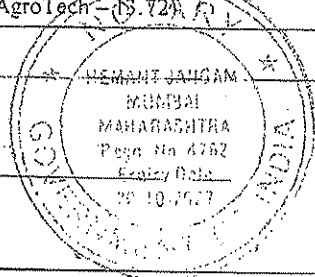
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unwarranted and unnecessary, but is also without jurisdiction and contrary to the express language of Section 4(1) of the MPID Act.

(m) In fact, the provisions of the MPID Act do not permit the State to levy attachment in excess of the amounts needed for repayment to the depositors as is evident from the Proviso to Section 7(6) of the MPID Act. Therefore, even on this ground, the attachments under the Notifications dated 21.08.2018 and 19.10.2018 are bad in law and are liable to be set aside.

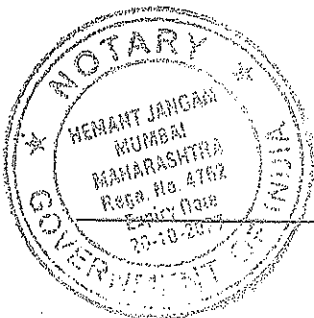
13. The Applicant is a company having 41 (Forty-one) Employees and 4 (Four) full-time Consultants. The Applicant is a 'going concern' which is rigorously pursuing the recovery proceedings against the defaulters before this Hon'ble Court, Hon'ble Bombay High Court, Hon'ble High Court appointed Committee and other fora. In the aftermath of the payment defaults at the Applicant's exchange platform, the Applicant is also defending itself in various civil and criminal litigations before this Hon'ble Court, Hon'ble High Court and other fora. Hereto annexed and marked Exhibit - "O" is a chart of all recovery cases filed by the Applicant against the defaulters and all the other cases in which the Applicant is defending itself, the total number of which is about 250 cases.
14. The Applicant states that in Representative Suit No. 173 of 2014 filed before Hon'ble Bombay High Court, the Applicant has filed 15 Third Party Noticees against the 15 defaulters with the sole intention to recover the default amounts. Further the Applicant has initiated 4 Civil Suits against Four other defaulters in Hon'ble Bombay High Court. Moreover, the Applicant has also filed Criminal complaints under the provisions of the Negotiable Instruments Act against the defaulters. The recovery efforts of the Applicant against the defaulters are evident from the table below which demonstrates the fact that in a short span of about 5 (five) years, the Applicant has obtained decrees from Hon'ble Bombay High Court, Arbitration Awards and crystallisation of liability by the High Court Committee against the defaulters aggregating to about Rs 4,100 Crores:

SR. NO.	PARTICULARS	AMOUNT (in crores)
1	Decree on Admission obtained (Aastha - Rs.12.5 + Juggernaut - Rs.145 + Yathuri - Rs.264.96 + Ark - Rs.719.37 + Swastik - Rs. 91.19)	Rs. 1233.02
2	Decree obtained after determination of liability by HCC (Yathuri - Rs. 134.64 + MSR Food - Rs.8.82 + White Water - Rs.84.82 + P D Agro Rs.633.77)	Rs. 862.05
3	Arbitration / Conciliation Awards (NCS Sugar - Rs. 58.85 + Spin Cot - Rs.36.63 + Lotus Refineries - 252.47 + Mohan India - 922)	Rs. 1269.95
4	Amount crystallized by the Committee and accepted by the High Court (Namdhari Rice - Rs.10.39 + Namdhari Food - Rs.51.02)	Rs. 61.41
5.	Amount crystallized by the Committee (Metkore Alloys - Rs.83.47 + LOIL Group - Rs. 663.13 + Vimladevi AgroTech - Rs.728.75)	Rs. 760.31
	TOTAL	4186.72



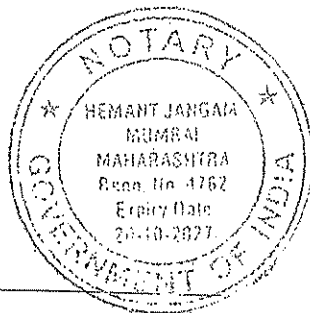
15. Therefore, it is natural that the Applicant company needs money to carry on its day to day expenses as also to continue its efforts in recovery, to maintain its office, employees, consultants, make payments of statutory dues, legal fees etc. resulting in average monthly expenses of Rs.2.68,85,975 (Rupees 2.68 Crores) based on last year's audited financials for the period 01.04.2017 to 31.03.2018. Hereto annexed and marked Exhibit - "R" is copy of the auditor's certificate dated 29.09.2018 certifying the Applicant's average monthly expenses.
16. It is submitted that by Notification dated 21.08.2018, the Respondent's investment worth Rs 8.23 Crores in Reliance Nippon Mutual Fund and one bank account having balance of Rs 22,714/- were attached. Thereafter, vide Notice dated 05.10.2018, the EOW, Mumbai, directed debit freeze of all the 24 banks accounts of the Applicant that were subsequently attached by Notification dated 19.10.2018. Copy of the said EOW Notice dated 05.10.2018 is annexed herewith as Exhibit - "S".
17. Therefore, with effect from 05.10.2018, the Applicant has been disabled from making payments for running its day to day expenses. As a result, the following payments are already due and payable and are outstanding against the Applicant for the months of September, October, November and December 2018 :

Particulars	Till September 2018 (in Rs Lakhs)	October 2018 (in Rs Lakhs)	November 2018 (in Rs Lakhs)	December 2018 (in Rs Lakhs)	Total (in Rs Lakhs)
Statutory Dues such as PF, Gratuity etc.	Already paid	Already paid	2.23	2.61	4.84
Government Taxes such as GST, TDS etc.	Already paid	Already paid	2.42	32.61	35.03
Fees of High Court Committee Members & Salary of Committee's Staff	1.59	1.23	10.80	0.63	14.25
Cost Imposed by this Hon'ble Court's Order dated 21.12.2018 in MA No. 1193 of 2018	-	-	-	0.10	0.10



9

Rent and other charges for High Committee's Office at Raheja Chambers, Nariman Point, Mumbai.	2.62 (Payable in Advance for October)	2.32 (Payable in Advance for November)	1.64 (Payable in Advance for December)	Bill Not received yet	6.58
Rent for the Applicant's Office at Chintamani Plaza, Andheri, Mumbai.	Paid in Advance For Oct to Dec 2018 in September 2018	Same	Same	Same	19.59 (Rent for January 2019 payable in advance in December 2018)
Electricity Bill for Applicant's Office at Chintamani Plaza, Andheri, Mumbai.	Already paid	Paid out of Petty Cash Available with Applicant	Paid out of Petty Cash Available with Applicant	0.89	0.89
Telephone Bill for Applicant's Office	Already paid	Paid out of Petty Cash Available with Applicant	Paid out of Petty Cash Available with Applicant	0.13	0.13
Sitting Fees of the Directors of the Applicant	Nil because No Board meeting	7.00	5.50	Nil because No Board meeting	12.50
Fees of Solicitors and Counsels	84.73	87.32	97.86	65.50	335.41
Administrative and Sundry Expenses such as Security, Housekeeping, Maintenance, Courier etc.	13.46	5.60	1.82	9.75	30.63



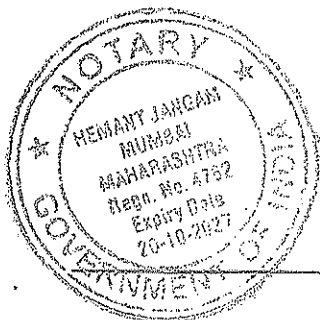
Arrears of Salaries of Employees, Monthly Retainer Fees of full-time consultants and Reimbursement of Out-of-Pocket Expenses of Employees.	1.14 (Arrears of Salary and Reimbursement of Out-of-Pocket Expenses of Employees)	20.59 (Fees of 4 Consultants, Arrears of Salary and Reimbursement of Out-of-Pocket Expenses of Employees)	22.58 (Fees of 4 Consultants, Salary of Two New Employees, Arrears of Salary and Reimbursement of Out-of-Pocket Expenses of Employees)	0.83 (Reimbursement for Out-of-Pocket Expenses of Employees)	45.14
GRAND TOTAL					505.09

18. The Applicant submits that there is an imminent urgency to make the above-mentioned payments at the earliest which are already due and payable as of the date of filing of the present Application. The Applicant's failure to pay the same will have serious adverse consequences for the following reasons :

(a) Statutory Dues & Govt Taxes : Non-payment of Statutory Dues such PF, Gratuity, and the Government Taxes such as GST, TDS will result in Penal Proceedings against the Applicant and its Directors under the respective legislations. All the current Directors of the Applicant have joined the Applicant after the alleged payment defaults and hence have no connection or liability whatsoever for the payment defaults that occurred on the Applicant's trading platform in July-August 2013. Therefore, they ought not to be penalised for no fault of theirs. Last three months' Challans for Statutory Dues (PF, Gratuity) are annexed herewith as Exhibit "T". Last three months' Challans for Govt Taxes (GST, TDS) are annexed herewith as Exhibit "U".

(b) Expenses Relating to High Court Committee: Non-payment of the expenses relating to Hon'ble High Court Committee would result in Breach of Hon'ble Bombay High Court's Order dated 02nd September 2014 read with Minutes of the Order dated 27th August 2014 which expressly directs that Fees and all other expenses of High Court Committee shall be borne by the Applicant. Copy of the said Order dated is annexed herewith as Exhibit - "V". In fact, the High Committee has issued a letter dated 06.11.2018 to the Applicant calling upon for making the payments due. A copy of the said letter dated 06.11.2018 is annexed herewith as Exhibit - "W". Further, the Applicant has already received Email dated 14th November 2018 from the Landlord prohibiting access to the High Court Committee's Office at Raheja Chambers, Nariman Point for Non-payment of Rent. Copy of the said Email dated 14th November 2018 is annexed herewith as Exhibit - "X". Further, copy of the Rent Agreement for the said Office Premises is annexed herewith as Exhibit - "Y".

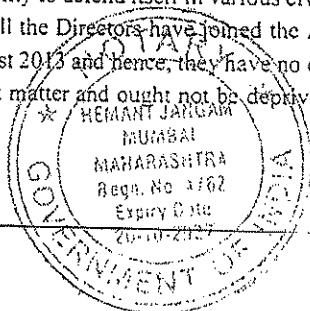
(c) Cost Imposed by this Hon'ble Court: Vide Order dated 21.12.2018, this Hon'ble Court has imposed a cost of Rs 10,000/- on the Applicant for delay in



(11)

filing its Reply to MA No. 1193 of 2018 and has directed that the Reply of the Applicant will be taken on record subject to the Applicant depositing the said cost and has kept the matter on 28.12.2018 for compliance of the said Order. It is submitted that the non-deposit of the said costs will cause serious prejudice to the Applicant as this Hon'ble Court will not take the Applicant's Reply on record which will result in the Applicant being deprived of its legal right under Section 7 of the MPID Act to file Objections against attachment of its properties.

- (d) Rent for Applicant's Office Premises at Chintamani Plaza, Andheri, Mumbai: Non-payment of Rent for the Applicant's office premises would result in the landlord terminating the lease and evicting the Applicant, thus leading to a complete stoppage of the Applicant's operations. Copy of the Letter of Intent dated 05.11.2018 for the Lease of the said Premises for the period of January 2019 onwards is annexed herewith as Exhibit - "Z".
- (c) Electricity Bills: Non-payment of Electricity Bill would result in disconnection resulting in a complete shut down of the Applicant's operations. In this regard, it is submitted that the Applicant received a Disconnection Notice dated 6th November 2018 under Section 56(1) of the Electricity Act, 2003 calling upon the Applicant to immediately pay the Bills for September and October 2018 failing which the electricity supply to the Applicant's office premises would be disconnected. As a result, given the emergency, the said bills of Rs 94,670 were paid by the Applicant out of petty cash available with the Applicant by way of Demand Draft No. 047205. However, the Electricity Bill for November 2018 is still outstanding. Copy of the Electricity Bill for November 2018 is annexed herewith as Exhibit - "AA".
- (f) Telephone Bills: Non-payment of Telephone Bill would result in disconnection resulting in a serious disruption in the Applicant's operations. In this regard, it is submitted that the Applicant received Email dated 10th November 2018 from the Telecom Company calling upon the Applicant to immediately pay the Bills for September and October 2018 failing which the telephone line to the Applicant's office premises would be disconnected. As a result, given the emergency, the said bills of Rs 35,400 were paid to the Telecom Company out of the petty cash available with the Applicant on 26th November 2018 and 28th November 2018 respectively. However, the Telephone Bill for November 2018 is still outstanding. Copy of the Telephone Bill for November 2018 is annexed herewith as Exhibit - "BB". The Applicant on 24th December, 2018 received the discontinuance notice from Tata Tele Business Services informing that there is overdue payment of Rs. 12,980 and have requested to make the said payment at the earliest. Copy of the discontinuance notice dated 24th December, 2018 is annexed herewith as Exhibit - "CC".
- (g) Sitting Fees of the Directors of the Applicant: Non-payment of Sitting-Fees of the Directors which have already become due would result in violation of their fundamental right to livelihood. Further, it would cause them to leave the Applicant, thereby causing serious disruption in the Applicant's recovery efforts as well as its ability to defend itself in various civil and criminal cases. It is important to note that all the Directors have joined the Applicant post the payment defaults of July-August 2013 and hence, they have no connection with the offences alleged in the present matter and ought not to be deprived of their legitimate dues. Copy of



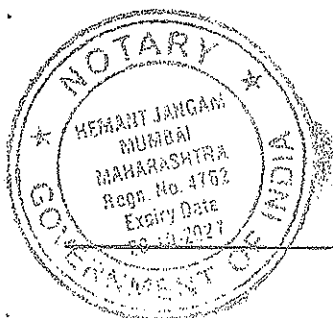
the Supporting Documents for the outstanding Directors' Fees is annexed herewith as Exhibit-"DD".

(h) Legal Fees: As stated earlier, the Applicant is vigorously pursuing recovery cases against the Defaulters. Additionally, the Applicant is also compelled to defend itself in multiple civil and criminal cases filed across India arising out of the payment defaults that occurred on its platform in July-August 2013. As is evident from Exhibit - "Q" above, the Applicant is pursuing / defending about 250 litigations across various Courts and Fora for which the Applicant is required to engage services of Solicitors, Counsels and Senior Counsels. Non-payment of legal fees already due would result in the Applicant facing legal action by these Advocates against the Applicant. Further, the Applicant would be disabled from engaging services of Advocates to defend itself in civil and criminal matters, including in the matters before this Hon'ble Court which would violate the Applicant's fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India. Copies of Invoices of the Solicitors, Counsels and Senior Counsels which are due are annexed herewith as Exhibit-"EE" (Colly).

(i) Administrative and Sundry Expenses : Non-payment of these expenses would result in the concerned third party vendors/service providers for security, housekeeping, maintenance etc bringing recovery proceedings against the Applicant. Further, these services are essential and incidental for smooth running of the Applicant's operations and stoppage of the same would cause serious disruption in the Applicant's operations. Copies of Supporting Bills / Vouchers in this regard are annexed herewith as Exhibit - "FF" (Colly).

(j) Salaries of Employees and monthly Retainer Fees of full-time Consultants : As submitted above, the Applicant has 41 Employees and 4 full-time consultants. While the Salaries of Employees upto March 2019 have been paid by the Applicant prior to the Attachments, the monthly retainer fees of full-time consultants and the arrears of salaries of some of the employees on account of subsequent appraisals and increments are still outstanding. Further, reimbursement of out-of-pocket expenses incurred by the employees for official work is also outstanding. Salaries of Two Employees who joined the Applicant in November 2018 is also outstanding. It is submitted that non-payment of Arrears of Salaries to employees and retainer fees to full-time consultants which have already become due would result in violation of their fundamental right to livelihood. Further, it would cause them to leave the Applicant, thereby causing serious disruption in the Applicant's recovery efforts as well as its ability to defend itself in various civil and criminal cases.

19. It is amply clear that the objective of the Applicant Company and the State is not at variance, namely recovery from the defaulters. In view of thereof, it is very vital that the Applicant survives and continues with the recovery efforts and is also able to defend itself in various civil and criminal cases filed against it before this Hon'ble Court and in other Courts across India. However, this would be possible only if the Applicant is allowed to bear its day-to-day expenses elaborated in the table above. In this regard it is important to note the following Orders passed by Hon'ble Bombay High Court in the very same CR No. 89 of 2013 (MPID Special Case No. 1 of 2014) which demonstrate that Hon'ble High Court's consistent view has been that the attachments under the MPID Act are not meant to strangle the day to day operations of any company or person. Therefore, this Hon'ble Court is also



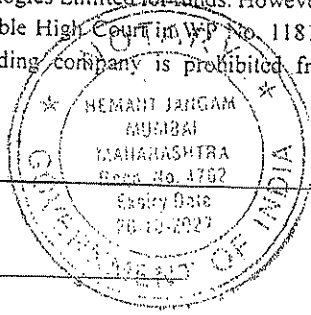
humbly requested adopt the same interpretation. In fact, the very purpose and intent behind Section 10 of the MPID Act is that because of the attachments made under the Act, the day to day business of any person or entity should not suffer :

(a) Hon'ble Bombay High Court has categorically held vide Order dated 30.10.2018 passed in WP No. 4825 of 2018 that, "It cannot be said to be the intention of the Legislature while enacting the MPID Act to strangle the financial establishments. The petitioners are running a business and in order to allow them to carry their day-to-day activities and to enable them to disburse payment towards salaries of the employees and to meet the statutory demands, arrangements are required to be made". By the said Order, Hon'ble High Court was pleased to release Rs 4.15 Crores out of the total attached amount of Rs 9.25 Crores at the ad-interim stage for payment of salaries and bonus to the employees and contract labour of one of the biggest defaulters in the present case M/s NK Proteins Ltd. The said attachment was made by the very same Notification dated 19.10.2018 under which 24 bank accounts of the Applicant have also been attached. Copy of the said Order dated 30.10.2018 is annexed herewith as Exhibit - "GG". This is despite the fact that M/s NK Proteins Ltd has also been declared as a Financial Establishment by the State vide Notification dated 31.03.2017. The State has also taken an unequivocal stand before Hon'ble Gujarat High Court in Special Civil Application No. 18638 of 2015 that M/s NK Proteins Ltd is a Financial Establishment. Therefore, the Applicant cannot be singled out and strangled by the State on the ground that it is the alleged Financial Establishment. Hereto annexed and marked as Exhibit - "HH" is a copy of the Notification dated 31.03.2017, as Exhibit - "II" is a copy of the Affidavit in Reply dated 16th November, 2016 filed by the Respondent in the said Special Civil Application, and Exhibit - "JJ" is a copy of the Order dated 29th March 2017 passed by the Hon'ble Gujarat High Court.

(b) The Hon'ble Bombay High Court, vide Interim Orders dated 04.05.2018 and 23.08.2018 passed in WP No. 1181 of 2018, was pleased to release the amounts required for monthly expenses of the Applicant's parent company M/s 63 Moons Technologies Ltd, out of the amounts attached by the State under Section 4(1) of the MPID Act. Copies of Orders dated 04.05.2018 and 23.08.2018 are annexed herewith as Exhibit - "KK" (Colly).

(c) Division Bench of Hon'ble Bombay High Court had, vide Order dated 07.10.2013 passed in WP No. 289 of 2014 prohibited the Applicant from selling, alienating or creating third party rights in its assets without the prior permission of the Court. However, being conscious of the fact that the Applicant is a running company, the very same Order allowed the Applicant to incur expenses for payment of salaries and wages, statutory dues and amounts required for preservation and maintenance of its assets. Further, by way of clarification dated 20.12.2013, Hon'ble High Court included Payment of Legal Fees also within the recognised allowable expenses of the Applicant. A copy of the said Orders dated 07.10.2013 and 20.12.2013 is enclosed herewith as Exhibit - "LL" (Colly). Therefore, at all times, it was never the intention of the State or any of its agencies or even of Hon'ble High Court that the functioning of the Applicant should be stopped.

(d) The Applicant has, in the past, been heavily reliant on its holding company i.e. 63 Moons Technologies Limited for funds. However, by Order dated 23rd August 2018 passed by Hon'ble High Court in WP No. 1181 of 2018 (See Exhibit "KK" above), the said holding company is prohibited from advancing funds to the



Applicant. It is under these circumstances that the Applicant is staring at a situation where its going concern status might get irreparably affected and it may not be able to carry on any day to day operations.

PRAYER

20. In view of the aforesaid, the Applicant humbly prays that this Hon'ble Court may be pleased to :
- a) Allow the present Application;
 - b) Direct the Respondent to release an amount of Rs 2.68 Crores per month to the Applicant out of the attachments made vide Notifications dated 21.08.2018 and 19.10.2018. for running Applicant's day-to-day operations;
 - c) Pending hearing and final disposal of the present Application, direct the Respondent to immediately release an amount of Rs 5.05 Crores to the Applicant for the payments already outstanding as on the date of filing of the present Application, as more particularly described in Paragraph 17 above;
 - d) For such other reliefs as this Hon'ble Court may deem fit in the facts and circumstances of the case.

Solemnly affirmed at Mumbai)

Dated 26th day of December, 2018)

Rushikesh
Before me,

For Naik Naik & Co.

Ladhika
Advocates for the Applicant

VERIFICATION

I, Rushikesh Sutarware Adult, Constituted Attorney of the Applicant, having the address at 6th Floor, Chintamani Plaza, Chakala, Andheri Kurla Road, Andheri (East), Mumbai - 400.099, do hereby solemnly state and affirm what is stated in paragraphs 1 to 10 above is true to my own knowledge, information and belief and I believe the same to be true

Solemnly affirmed at Mumbai)

This 26th day of December 2018)

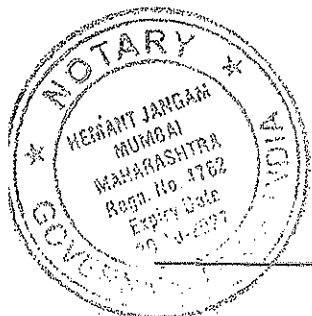
Rushikesh
Before me,

Seen, Original and copy letter/extract of the Resolution dated in favour of Applicant and is stated to be in force. This Copy attached hereto
D 19/12/2018

For Naik Naik & Co.

Ladhika
Advocates for the Applicant

Solemnly affirmed at Mumbai by Rushikesh Sutarware before me, Naik Naik & Co. Advocate for the Applicant.



- Seen
- 1) Pan Card - BE TPS 1439 F
 - 2) Achar Card -
 - 3) Voters I/D -
 - 4) Driving Licence -
 - 5) Passport -
 - 6) Office I/O

Radhika
26-12-18
City Civil and Sessions Court,
Gr. Bombay.

Pais Auto Pvt. Ltd.

532

101, Shubham Heights, Near J. K. Regency Hotel / W.E. Highway, Old Nagardas Road, Andheri (E) Mumbai - 400 069.
Tel. : +91-22-2684 8388 • Mobile : +91-90047 55000 • Fax : +91-22-2682 6699 • E-mail : booking@paisauto.com

TAX INVOICE

NATIONAL SPOT EXCHANGE LIMITED

201-C, Wing, 6th floor, Chintamani Plaza, Andheri Kurla Road, Andheri-E, Mumbai - 400099.

Phone : +91 - 22 - 6761 9900 Extn: 4723

Mobile : +91-8291705297

Phone: Ph:54494000

PAN: AACCN1196R

GSTIN: 27AACCN1196R1ZT

*Original for recipient
Invoice Number: PA1819-209431
Invoice Date: 30-08-2018

SR.	DESCRIPTION	RATE	QTY	AMOUNT
1	#99583907 Booked by: MR. RAVI VANGARI [From 14-08-2018 to 15-08-2018 Vehicle Group: DZIRE/ACCENT MH 04 HN 3579 City: Mumbai Passengers: Mr. VN Dalmia			
	8HOURS/80KMS			
	Extra Hours	1,500.00	2	3,000.00
	Toll & Car Parking	90.00	05:00 hr	450.00
				490.00
	Taxable Sub Total			13,940.00
	CGST TAX - 2.5%			98.50
	SGST TAX - 2.5%			98.50
	TOTAL			14,137.00

In words: Four Thousand One Hundred And Thirty Seven Rupees Only

PAN: AACCP5751J (CIN: U93030MH2012PTC230062)

No disputes or objection will be entertained if not brought to our notice within 10 days from the date of Bill.

Interest @ 18 % P.A. will be charged on all Accounts not settled within 30 days.

Disputes if any shall be subject to Mumbai Jurisdiction only.

GSTIN: 27AACCP5751J1Z2 | SAC/HSN/Accounting code: 9966

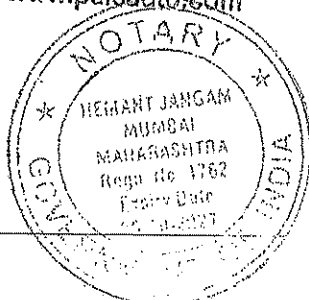
Please refer to the duty slip for details.

For Pais Auto Pvt. Ltd.

[Signature]
Authorized signatory

National Spot Exchange Limited
 Recd Date: 31/08/18 Recd Time: 13:10
 Invoice No: 470 Sign: [Signature]
 Contents Not Verified

www.paisauto.com



Pais Auto Pvt. Ltd.

101, Shubham Heights, Near J. K. Regency Hotel / W.E. Highway, Old Nagardas Road, Andheri (E), Mumbai - 400 069.
 Tel. : +91 22 2684 8888 • Mobile : +91 99047 55000 • Fax : +91 22 2602 6000 • E-mail : booking@paisauto.com

TAX INVOICE

NATIONAL SPOT EXCHANGE LIMITED
 601-B, Wing, 6th floor, Chintamani Plaza, Andheri Kurla Road, Andheri-E,
 Mumbai - 400099.
 Phone : +91 - 22 - 4761 9900 Extn : 4723
 Mobile : +91-8291705297
 Phone: Ph:54494000
 PAN: AACCN1196R
 GSTIN: 27AACCN1196R1ZT

*Original for recipient
 Invoice Number: PA1819-008408
 Invoice Date: 11-08-2018

SR.	DESCRIPTION	RATE	QTY	AMOUNT
1	#79168484 Booked by: MR. RAVI VANGARI From 30-07-2018 to 31-07-2018 Vehicle Group: DZIRE/ACCENT MH04 HN 3574 Duty Type: 8HOURS/80KMS (Mumbai) Passengers: Mr. VN Dalmia	1,500.00	2	3,000.00
	Extra Hours	90.00	06:15 hr	562.50
	Toll & Car Parking			730.00
	Taxable Sub Total			4,342.50
	CGST TAX - 2.5%			108.56
	SGST TAX - 2.5%			108.56
	Round Off			0.38
	TOTAL			4,560.00

In words: Four Thousand Five Hundred And Sixty Rupees Only

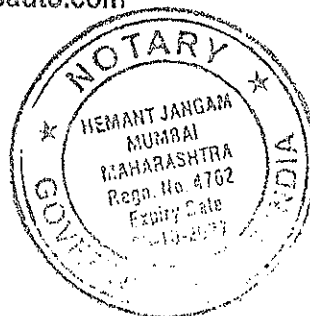
PAN: AAGCP5751J (CIN: U93030MH2012PTC230062)
 No disputes or objection will be entertained if not brought to our notice within 10 days from the date of Bill.
 Interest @ 18 % P.A. will be charged on all Accounts not settled within 30 days.
 Disputes if any shall be subject to Mumbai Jurisdiction only.
 GSTIN: 27AAGCP5751J1Z2 | SAC/HSN/Accounting code: 9966
 Please refer to the duty slip for details.

For Pais Auto Pvt. Ltd.

[Signature]
 Authorized signatory

National Spot Exchange Limited
 Recd Date: 18/08/18 Recd Time: 12:50
 Sl No: 428 Sign: *[Signature]*
 Contents Not Verified

www.paisauto.com



Handwritten signature/initials

560

TAX INVOICE

pe of Supply : Intra State

TCO TRAVELS & TOURS PVT LTD: A-105, FIRST FLOOR, B.N.G. HOUSE, (G. PREMISES, CO-OPERATIVE, SOCIETY LTD, BUILDING NO 197/99/201, D.N. ROAD, FORT, MBAT-400001 L:+91-22- 6634622/66355141/66333790 MAIL:RITCOMJ@RITCOTRAVELS.COM IN NO: AAECR9514P State Code: [27] Maharashtra IT No: +27AAECR9514P1ZP	DOMESTIC INR Invoice: DB806865 Date: 13/08/2019 Code: 17N021 E.R No: DB806865 PNR No: DB806865	NATIONAL SPOT EXCHANGE LTD 601B-WING6TH FLOORCHINTAMANI PLAZA ANDHERI KURLA ROAD ANDHERI (EAST)MUMBA MAHARASHTRA-400099 AACCN1196R State Code: [27] Maharashtra GST No: +27AACCN1196R1ZT
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Amount has been debited for the Purchase of Following tickets

Ticket Number	Pax Name	Sector	Class	Flight No	Date of Travel	Basic Fare	Yq Tax	Yr Tax	Yc Tax	Yd Tax	Airline	Total
AJDW2U	MIR VN DALMIA	DEL/BOM	R	6E 957	14/08/18	4366.00	0.00	165.00	218.00	600.00		5349.00

UDW2U Debtor
 Department
 Booked By
 Debtor
 Department
 Booked By

File No: DB806865
 HSN 9985

Total Gross Fare: 5349.00
 Management Fee 180.00
 (+) SGST on (Scg+Mfee)(9.00 % of 100.00): 9.00
 (+) CGST on (Scg+Mfee)(9.00 % of 100.00): 9.00
Net Total : 5467.00

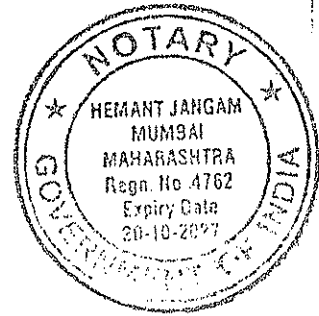
Booked By: CYNTHIA
 Ref No.: RAVI
 State of Supply: Maharashtra

NR FIVE THOUSAND FOUR HUNDRED SIXTY SEVEN ONLY



This is a System Generated Invoice does not require Signature
 Cash : Payment should be made directly to Chief cashier in our office and take official receipt
 Cheque : All cheques should drawn in favour of Ritco Travels & Tours Pvt Ltd and crossed A/C Payee
 OUTSTANDING : We reserve the right to charge interest @ 24% per annum on all outstanding overdue account.
 CIN : U63040RJ2010PTC032902

TRUE COPY
 B



IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
CRIMINAL APPELLATE JURISDICTION
Criminal Writ Petition No. 4231 of 2022
Dist.: Bombay

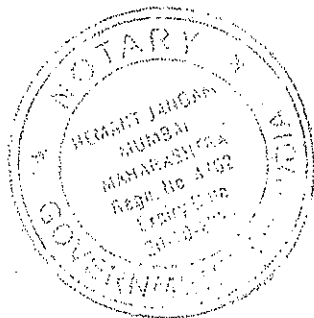
Vishvanidhi Dalmia . . .Petitioner

Versus

State of Maharashtra & Ors. . . Respondents

AFFIDAVIT-IN-REPLY OF THE RESP. NO. 1

Dated this 9th day of July 2024



Ms. Rebecca Gonsalvez
Spl. P.P. for the State (Resps. Nos. 1 to 3)
SPS Lawyer's Chambers
Chamber No. 11
24-B, Raja Bahadur Mansion
Ambalal Doshi Marg
Fort, Mumbai 400001
Tel.: 9820783537