

IN THE SPECIAL COURT (TRIAL OF OFFENCES
RELATING TO TRANSACTIONS IN SECURITIES
AT BOMBAY

MISC. APPLICATION NO. 278 OF 2003

IN

MISC. PETITION NO. 41 OF 1999

Jyoti H. Mehta
residing at 32-B Madhuli,
Dr. Annie Besant Road,
Worli, Mumbai – 400 018.

... Applicant

Versus

The Custodian
having its office at
10th floor, Nariman Bhavan
Nariman Point
Mumbai – 400 021.

... Respondent.

THE HUMBLE APPLICATION OF THE
APPLICANT

MOST RESPECTFULLY SHEWETH

1. The Applicant is a notified entity under the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992 hereinafter referred to as the "Special Courts Act". The Applicant got notified on 8th June 1992 on and from which date all her assets stands attached as provided in the Special Courts Act. The Respondent is the Custodian appointed under the Special Court Act, 1992.
2. The Custodian by way of Misc. Petition No.41 of 1999 has preferred a Petition proposing sale of my residential premises. On 27th August 2003, I have also filed a Misc. Application No.254 of 2003 before this Hon'ble Court inter alia seeking release of my above residential premise from attachment which matter is also pending hearing.
3. I state that I am also a legal heir of my late husband Shri Harshad S. Mehta whose residential premise are also proposed to be sold in the above Misc. Petition. I state that I being a notified person, my assets are under attachment. For past considerable period I have been facing acute difficulty in securing legal representation both in my own matters as well as in the matters of my late husband. I state that in fact a large number of matters have already gone un-represented as I have failed to defend my legal interest and the legal interest of my late husband. I state that this Hon'ble Court is already appraised of my acute predicament. I state that so far as the present Petition and my above Application is concerned, I am very keen and desirous of

putting up a proper legal representation and have been making efforts to secure the services of some Senior and experienced Counsel. I state that in the matter of my residential premises complicated questions of law and facts are involved. I say that besides, I do not have shelter for myself and my young, unmarried son. I state that therefore the above proceedings have a very vital bearing on our lives. I state that this Hon'ble Court would already be aware that my late husband died suddenly in jail while he was in custody and that I and my family are already deeply traumatised.

4. It is in the interest of justice and equity that I be given proper and sufficient opportunity to effectively represent my case. I am presently unable to present my case.
5. In the circumstances aforesaid, I pray that this Hon'ble Court may be pleased to ;
 - (a) grant me some reasonable time by adjourning the present proceedings until I secure services of a Counsel and;
 - (b) that in terms of order dated 12th February 1996 in Misc. Petition.No.215 of 1995 this Hon'ble Court may be pleased to sanction appointment of a Senior Counsel in respect of above Petition / Application and order release of fees either and/or from my attached bank account or from the attached account of my late husband Shri Harshad S. Mehta.
 - (c) For such further and other reliefs as this Hon'ble Court deems fit and proper in the circumstance.

Applicant in Person

sd-

VERIFICATION

I, Jyoti H. Mehta, Applicant, adult, Indian inhabitant, share and stock broker, residing at 32-B Madhuli, Dr. Annie Beasant Road, Worli, Mumbai – 400018 do hereby solemnly declare that what is stated in the foregoing application is true to my own knowledge.

Solemnly declared at Mumbai)

this day of September, 2003)

sd-

Applicant in Person

sd-

Before me,

10/9/03

L. No. 248/03
10/9/03

BEFORE THE SPECIAL COURT
CONSTITUTED UNDER THE SPECIAL
COURTS (TRIAL OF OFFENCES
RELATING TO TRANSACTIONS IN
SECURITIES) ACT, 1992

MISC. APPLICATION NO. ²⁷⁸ OF 2003.

Jyoti H. Mehta ... Applicant

Versus

The Custodian. ... Respondent

Application of Jyoti H. Mehta

Dated this 10th day of September 2003.

Applicant in Person.