

PARTICULARS OF CASES WHERE CUSTODIAN IS DELIBERATELY NOT RECOVERING ATTACHED ASSETS OF MEHTAS FROM BANKS AND THIRD PARTIES OF MORE THAN RS.5000 CRORES INCLUDING CASES WHERE THE HON'BLE SPECIAL COURT AND HON'BLE SUPREME COURT HAS ALREADY DIRECTED HIM TO RECOVER THE ATTACHED ASSETS FROM BANKS/THIRD PARTIES.

No.	MP/MA/CA No.	Details of Assets	Claim Amt Rs. (in Crs)	Current status
1	MA 26 of 2013	3.69 crore shares of Apollo Tyres Ltd. of Rs.1/- f.v.	750	Pending adjudication before Securities Appellate Tribunal/ Hon'ble Supreme Court.
2	MA 13 and 14 of 2011	Pending recovery of attached shares and accruals by Custodian for 26 years.	700	Hon'ble Special Court by order dated 04.01.2013 has directed Custodian to recover more than Rs.700 Crores.
3	MP 88 of 2000	Recovery of missing / lost / stolen shares	600	In compliance with order of Hon'ble Special Court dated 05.05.2001 Custodian has not recovered the shares.
4	MA 185 of 1993	3.71 crore Units from SBI / SBI Caps	550	HSM letter to Custodian on 22.2.1993. Custodian illegally withdrew claim on 4.2.2003.
5	MA 94 of 1995 MP 88 of 1998 MA 20 of 2015	PSU Bonds of NTPC & IRFC of Rs.50 crores f.v. from SBI/Syndicate	462	HSM letter to Custodian on 29.10.1993. Custodian illegally withdrew claim on 6.9.2002 to confer benefit onto SBI.
6	CA 5188 of 2019	Recovery of 9% IRFC Bonds of Rs.61.25 crores f.v. from NHB	455	Pending adjudication before Hon'ble Supreme Court.
7	MA 148 of 2012	11.5% GOI 2008 of Rs.50 crores f.v. from SBI	392	JHM letter to Custodian on 15.4.2008, 16.06.2009, 28.10.2009
8	MA 136 of 2012	2 crore Units from SBI Caps	305	HSM letter to Custodian on 22.2.1993
9	MA 195 of 2011	2 crore Units from NHB	264	By RBI on 3.9.1993 by JHM on 16.06.09, 28.10.09, 18.02.2010, 17.05.2010 and 14.01.2011
	MA 39 of 2018	Recovery of missing /lost shares of Apollo Tyres	250	Pending adjudication before Hon'ble Special Court.
10	Claim on SBI MA 148 of 2012 Filed on 23.8.2012	Excess amount of Rs.22.57 crores paid to SBI	98	Letter by HSM on 3.2.1993. Smt. Jyoti Mehta filed a recovery application M.A. No.148 of 2012.

11	MA 52 of 2018	Recovery of damaged shares of Apollo Tyres	90	Pending adjudication before Hon'ble Special Court.
12	MA 54 of 2018	Recovery of mutilated shares of Apollo Tyres	85	Pending adjudication before Hon'ble Special Court.
		Total Crores	5001	

1. The Custodian is deliberately not recovering the attached assets belonging to HSM now for more than 26 years valued at more than Rs.5000 Crores to hurt Mehtas and to confer benefits onto banks and third parties. The Custodian is governed by several ulterior objects viz. to persecute Mehtas, to favour third parties, to falsely claim that liabilities are greater than assets and justify continued notification of all Mehtas and thereby indefinitely delay final distributions amongst creditors u/s 11(2) of the Torts Act.
2. The Custodian also has a vested interest in keeping maximum assets under his management as also in ensuring continuation of his office. The Torts Act confers extraordinary powers so that the objects are realized very quickly but yet 30 years have already elapsed and objects are not realized but Custodian has succeeded in achieving all his ulterior objects.
3. Being "State" within the meaning of Article 12 of the Constitution the Custodian has yet acted illegally, unfairly and discriminated against Mehtas and thereby violated their fundamental rights under Articles 14, 19 and 21 of the Constitution. Custodian has also violated Constitutional rights of Mehtas under Article 300A by dispossessing them of their assets and their valuable human rights towards their properties.
4. The Custodian wants to give Mehtas a group punishment by abusing his powers and position including of notification u/s 3(2) of the Torts Act even though the law of the land does not mandate it. The Custodian has stepped into the shoes of the creditors.
5. The Custodian has not even recovered attached shares and accruals belonging to Mehtas from 10 other notified entities by depositing the accruals of Mehtas in the attached accounts of these other entities for amounts of hundreds of crores though it is easiest for Custodian to recover attached assets from other notified entities whose assets are also under his control and management.
6. The Custodian has not devised any system of reporting compliance and disclosing status in regard to compliance made by him with the orders of Hon'ble Special Court and to place facts of pending recoveries of attached assets to avoid getting exposed for his illegal conduct and in order to have complete freedom to deal with the attached properties. Despite being an officer of the Court, Custodian has consciously committed contempt of several orders of Hon'ble Special Court and some orders of Hon'ble Supreme Court.
7. From the time Smt Jyoti Mehta discovered the facts of mismanagement of the attached assets by Custodian in the year 2006, now for past 16 years she has made grievance of deliberate failures of Custodian before Hon'ble Special Court and later even before Hon'ble Supreme Court who have been pleased to pass further orders on Custodian to make compliance with the orders and to recover the attached assets. Even these subsequent orders have not been complied with by the Custodian acting with impunity and by filing, incomplete and false and misleading Reports and Affidavits before Hon'ble Special Court. Since further delay is jeopardizing the recovery, Mehtas are doing their best to recover their attached assets but their efforts are thwarted by opposing any release of monies to them to meet the genuine expenses of engaging Advocates and Counsels since Shri Ashwin Mehta cannot represent in all the forums and Courts at the same time.