

**IN THE COURT OF SPECIAL JUDGE FOR CBI AT GR. MUMBAI  
ORDER BELOW EXH-7**

**IN  
SPECIAL CASE NO.125 OF 2009**

Jayanand N. Shetty .. Applicant  
Versus  
1. State  
2. CBI, ACB, Mumbai .. Respondents

**ALONGWITH**

**ORDER BELOW EXH-8**  
**IN  
SPECIAL CASE NO.125 OF 2009**

Abdul Raseed Shaikh .. Applicant  
Versus  
1. State  
2. CBI, ACB, Mumbai .. Respondents

**CORAM : H.H.THE SPECIAL JUDGE  
SHRI VIJAY R. SIKCHI (C.R.NO.53)  
DATED : 15/04/2010**

Adv.Mr.P.C. Das for Applicant Mr.Jayanand Shetty  
Adv.Mr.Saikumar P.M. for applicant Abdul Rashid Shaikh  
SPP Mr.Babu for CBI-ACB

**ORAL ORDER :-**

By moving the present applications, return of properties stated therein was claimed by the applicant. Learned SPP Mr.Babu has submitted that inquiry is being going on as to whether the case is made out against applicants in respect of holding of disproportionate assets. The reply in this regard is not readily available.

It was submitted on behalf of the applicants that due to freezing of their accounts they are unable to withdraw their regular salary from their accounts and mobile phone of Mr.Abdul Rashid is also seized which is causing inconvenience to him.

Applicant Mr.Jayanand N. Shetty is holding his account SB-19217 in Vasai Vikas Sahakari Bank Limited. So, by keeping present balance in tact, he is permitted to operate account and permitted to withdraw amount which will be deposited in the account hereinafter by way of salary till further orders.

As regards prayers made in the application by applicant Mr.Abdul Raseed Shaikh, he holds his salary account in Axis Bank bearing account No. 23010100226431. The applicant Mr.Abdul Raseed Shaikh is also permitted to operate salary account by keeping the present balance in tact i.e.Rs.54,298/- (excluding salary deposited later on of month August-2009). Applicant will be entitled to operate his account hereinafter and will be entitled to withdraw amount from the account which will be deposited in the account under the head of salary only.

As regards the prayer of the applicant to return

his mobile phone handset shall be checked by the CBI authority and by retaining SIM card therein handset shall be returned to the applicant on indemnity bond and undertaking that he will produce the mobile set in future if required for the purpose of investigation.

Further prayers in both the applications will be considered after filing detailed reply by the CBI.

**15/04/2010**

**(VIJAY R. SIKCHI)**  
**Special Judge,**  
**Gr.Mumbai**

Dictated on : **15/04/2010**  
Transcribe on : **15/04/2010**  
Signed by HHJ on :