

**THE RETURN OF THE INDIANS ...
IN THE HONGKONG COURT SYSTEM**

The numbers of the resident ethnic Indians of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), for the most part, has been largely depleted since July 1, 1997, when the Government of the PRC assumed sovereignty over the 416 square miles that was, up until that date, the British Crown Colony of Hongkong.

Names, such as Harilela, Mohandas, Doulatram, Sakrani, Barwani, Sital, Sabnani, Ruttonjee, etc, rarely grace the pages of the local media, these days, because the ethnic Indian of the HKSAR is no longer a tour de force in the territory – and is unlikely ever to be a force for anything again.

But, from time to time, names of yesteryear do pop up – in the HKSAR Court system, where they are found to have been accused of a number of improprieties.

On the subject of improprieties, involving ethnic Indians, resident of the HKSAR, **TARGET** () subscribers will recall the name of Obi Mohan, also known as Gobind Mohan.

Obi Mohan, today, is rarely mentioned in polite society because, among other things, this colourful character is a felon.

At one time, he was the Managing Director of Mohan's Property and Investments Ltd, a company, which was listed on the Main Board of The Stock Exchange of Hongkong Ltd.

However, Obi Mohan liked to dip his grubby little fingers into that company's till on occasion until, one day, he was caught red-handed.

After a lengthy criminal trial, he was sent to prison for 4 years and 9 months, having been found guilty of breaches of The Theft Ordinance and The Companies Ordinance.

Then, in 1996, Obi Mohan was served with a Bankruptcy Notice, taken out by the HKSAR solicitors' firm of Robertson, Double and Boase.

As luck would have it, Obi Mohan's daughter married into the Harilela Clan so, presumably, Mr Hari Harilela, who fancies himself as being the leading ethnic Indian of the territory, helped out his new relative.

Then, there was the case of Vashi Doulatram, the head of the trading company: G. Doulatram and Sons (Hongkong) Ltd.

Only a few years ago, Vashi Doulatram was sued by Ecobank Ghana Ltd in the HKSAR High Court.

The allegations, made against Vashi Doulatram by Ecobank Ghana Ltd were, aside from being extremely serious, also quite shocking to right-minded people, ethnic Indian and others.

Ecobank Ghana alleged, inter alia, in its Endorsement of Claim:

- '1. The Plaintiff's claim against the Defendant is that, at the material time, it actively participated and/or knowingly assisted in a fraudulent, deceitful and dishonest design against the Plaintiff namely the procuring of a transfer of US\$245,000 (the "Funds") from the Plaintiff to an account maintained by the Defendant in Hong Kong by the use of*

a forged payment instruction. As a consequence, the Defendant became constructive trustee for the Plaintiff of all moneys received by it pursuant to, referable to or otherwise howsoever relating directly or indirectly to the Funds including but not limited to all moneys received by the Defendant or other parties at the Defendant's order whether directly or indirectly through agents or nominees of the Defendant. By reason of the matters aforesaid:-

- (a) the Defendant is liable to account to the Plaintiff for all such moneys; and/or*
- (b) the Plaintiff is entitled to trace all such moneys into the hands of the Defendant, the Credit Agricole Indosuez, Hong Kong Branch being the banker of the Defendant into which the Funds were paid or elsewhere as it may be found; and/or*
- (c) the Plaintiff is entitled to a declaration as to what sums in the hands of the Defendant and the Credit Agricole Indosuez, Hong Kong Branch are assets of the Plaintiff; and/or*
- (d) the Plaintiff is entitled to all due accounts and inquiries as aforesaid and payment to the Plaintiff of the sum found due to the Plaintiff; and/or*
- (e) the Plaintiff is entitled to interest on the aforesaid sums pursuant to section 48 of the High Court Ordinance.*

'2. Further and/or in the alternative, the Defendant having received the Funds or other moneys or other funds which are the Plaintiff's property in equity or the traceable proceeds thereof, has been unjustly enriched and is under a liability to make restitution thereof to the Plaintiff as money had and received to the use of the Plaintiff.'

Here We Go Again

Recently, **TOLFIN** () (The Computerised Online Financial Intelligence Service and Web-Based, Credit-Checking Provider) via its Monitoring System (), has flagged this medium of 2, rather large legal cases, relating to 2 ethnic Indian families, both of which are (were?) residents of the territory.

The 2 families are ... [CLICK TO ORDER FULL ARTICLE](#)

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