

Sanjay Lakra Vs. The Union of India and Ors

Sanjay Lakra Vs. The Union of India and Ors

SooperKanoon Citation : sooperkanoon.com/52929

Court : Jharkhand

Decided On : Jun-22-2015

Appellant : Sanjay Lakra

Respondent : The Union of India and Ors

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI W.P (PIL) No. 6536 OF2013
Sanjay Lakra son of Cypren Lakra resident of House No.25, Bagunhatu PO
Baridih, PS Sidgora, Jamshedpur, District - East Singhbhum (Jharkhand)
Petitioner Versus 1.The Union of India 2.The Registrar of Companies, Gate No.6,
437, 'C Wingh Shastri Bhawan New Delhi - 110001 3.The Registrar of Companies,
West Bengal Ministry of Corporate Affairs Nizam Palace, 2nd MSO Building 3rd
Floor, 234/4, AJC Bose Road, Kolkata 700020 4.The Director, Ministry of
Corporate Affiair, 5th Floor, 'A' Wing, Shastri Bhawan Dr.Rajendra Prasad Road,
New Delhi 110001 5.The Chairman, Security & Exchange Board of India, Mittal
Court, 'A' Wing, Ground Floor, 224, Nariman Point Mumbai - 400021 6.The
Regional Manager, Security & Exchange Board of India, having office at LET
Chambers, 3rd Floor, 16 Camac Street, PO & PS Camac Street, Town and District
Kolkata (West Bengal) 7. The Regional Manager, Reserve Bank of India, having
office at South Gandhi Maidan, PO & PS Gandhi Maidan, Town and District Patna
(Bihar) 8.The Director, Enforcement Directorate, 6th Floor, Lok Nayak Bhawan,
Khan Market New Delhi 110003 9.The Director, Central Bureau of Investigation,
Plot 5-B6h Floor CGO Complex Lodhi Road New Delhi 110003 10.The Director,

(Investigation) Income Tax, Aayakar Bhawan, 7th Floor Main Road, PO & PS Chutia, District Ranchi 11.The Director General of Police, Jharkhand Police Headquarters PO Dhurwa PS Jaganathpur, District Ranchi 12.The Finance Secretary Government of Jharkhand, Project Building, PO Dhurwa PS Jaganathpur, District Ranchi Respondents With W.P (PIL) No. 4092 OF2014 Sarada Pleasure and Adventure Ltd. & Sarada Mutual Benefit (Nidhi) Ltd. Soshit Sangh through its General Secretary Ambuj Kumar Singh son of Bhola Singh resident of Sector 1/B Q No.482 PS City Thana PO Bokaro District Bokaro Steel City ...Petitioner Versus 1.The State of Jharkhand 2.The Chief Secretary, Project Building, PO Dhurwa, PS Jagannathpur, Distt. Ranchi 3.The Director General of Police, Jharkhand Police Head Quarter, PO Dhurwa, PS Jagannathpur District Ranchi 4.The Deputy Commissioener, Bokaro, PO PS & District Bokaro 5.The Chairman, Reserve Bank of India having office at South Gandhi Maidan, PO & PS Gandhi Maidan, Town and District Patna 6.The Chairman, Security & Exchange of India, Mittal Court, 'A' Wing, Ground Floor, 224, Nariman Point Mumbai - 400021 7.The Director, Prevention of Mondey Laundering, Shivaji Park, PO & PS Boat Club, New Delhi 8.The Director, Central Bureau of Investigation, Plot 5-B6h Floor CGO Complex Lodhi Road New Delhi 110003 9.Savita Srivastava, Director, Sarda Pleasure & Adventure Ltd. D/O Surendra Kumar Verma, Sarada Mansion Mallaguri PO & PS Pradhan Nagar, Silliguri, West Bengal 10.Rakesh Srivastava, C.M.D Sarda Pleasure & Adventure Ltd., S/O Abhay Narayan Pradad, Sarada Mansion Mallaguri PO & PS Pradhan Nagar, Silliguri, West Bengal 11.Nandita Sengupta, Director, Sarda Pleasure & Adventure Ltd., D/O Kamakha Roy, Sarada Mansion Mallaguri PO & PS Pradhan Nagar, Silliguri, 734003 West Bengal 12.Kaushik Sengupta, Director, Sarda Pleasure & Adventure Ltd., S/O N.K.Sengupta, Sarada Mansion Mallaguri PO & PS Pradhan Nagar, Silliguri, West Bengal 13.Amesh Kumar Srivastava, Director,Sarda Pleasure & Adventure Ltd., C/O A.N.Prasad, Sarada Mansion Mallaguri PO & PS Pradhan Nagar, Silliguri, West Bengal 14.Neha Verma, Director, Sarda Pleasure & Adventure Ltd., D/O Surendra Kumar Verma, G-23, Vinayan Puram Near St.Joseph School, Gorakh Nath, Gorakhpur, PO & PS Gorakhpur, Uttar Pradesh 15.Nandu Prasad Choudhary, Director, Sarda Pleasure & Adventure Ltd., S/O late H.L.Choudhary, Mukumdeo Road, New Mallaguri PO & PS Pradhan Nagar, Silliguri, West Bengal

16. Mahesh Kishan Motewar, Director, Samrudh Jeevan Multi State Purpose, Co-operative Society Ltd., (Samrudh Jeevan Foods) Office - 4th Floor, Tantra Building Yasodhan Business Complex, Ghola Road Shivaji Nagar, Pune - 411005, PO & PS Shivaji Nagar, Distt. Pune

17. Vaishali Mahesh Motewar, Director, Samrudh Jeevan Multi State Multi Purpose Co-operative Society Ltd., Office - 4th Floor, Tantra Building Yasodhan Business Complex, Ghola Road Shivaji Nagar, Pune - 411005, PO & PS Shivaji Nagar, Distt. Pune

18. Ghanshyam Jashbhai Patel, Director, Samrudh Jeevan Multi State Purpose, Co-operative Society Ltd., (Samrudh Jeevan Foods) having its Office at 4th Floor, Tantra Building Yasodhan Business Complex, Ghola Road Shivaji Nagar, Pune - 411005, PO & PS Shivaji Nagar, Distt. Pune

19. Angel Agritech Ltd. through its Group Leader Babloo Paswan, son of Chandeshwar Paswan, of village Kuliwarra, PO Rathwari PS English Bazar, District - Malda - 232101, West Bengal

20. Suryakant Rai, son of Sanjay Kumar Rai, Village Barro Bari, PO & PS Bulbari Distt. Malda West Bengal

21. Rakesh Shrivastav, C.M.D, son of Abhay Narayan Prasad, Sarada Mansion Mallaguri PO & PS Pradhan Nagar, Silliguri, 734003

22. Sukumar Debnath, Director, son of Dinesh Debnath, Pradhan Nagar, Mallaguri, Silliguri, 734003, C/O Hotel Sharda, Hill Cart Road, PO & PS Pradhan Nagar, Silliguri, 734003

W.B.23 Shubhankar Ray, Director, son of Kamakhya Ray, Sir Nagar, PO Birati, PS Nimta, Kol-700051

24. Rajan Kumar Srivastav (Bablu) Director, son of Kanhaiya Prasad Shrivastav, Samar Nagar, Champassari, PO & PS Pradhan Nagar, Silliguri, Darjeeling 734003

W.B.25 Khudiram Sarkar, Director, son of Manmohan Sarkar, Colonipara, J.L No.105 2nd Karanji, PO & PS Kushmandi, Dakshin Dinajpur, W.B.26 Kaushik Sengupta, Director, son of Nitish Sengupta, 1540 I.C.R Park, PO & PS I.C.R Park, New Delhi - 110001

27. Sujit Nayak, Director, son of Ashwini Nayak, College Para, Shiv Mandir Matigora, PO & PS Silliguri, Silliguri 734004, W.B.28 Amar Kant Mishra, V.P (Vice President) son of Not Known, Hotel Sharda, Hotel Sharda, Hill Cart Road, PO & PS Pradhan Nagar, Silliguri, 734003

West Bengal Respondents With W.P (PIL) No. 6168 OF2014 Non-Banking Abhikarta Ewam Niwesak Surakcha Sammittee through its President Md. Javed Akhtar son of Md. Ilias resident of Mojahid Nagar, Hindpiri, PS Hindpiri, District Ranchi and Secretary Md. Irfan Ansari, son of late Md. Nasim Ansari, resident of Beldar Mohalla, PO & PS Doranda, Ranchi

Petitioner Versus 1. The Union of

India 2.The Registrar of Companies, Gate No.6, 437, 'C Wingh Shastri Bhawan New Delhi - 110001 PO & PS Sashtri Bhawan, District New Delhi 3.The Registrar of Companies, West Bengal Ministry of Corporate Affairs Nizam Palace, 2nd MSO Building 3rd Floor, 234/4, AJC Bose Road, Kolkata 700020, PO & PS Malik Bazar, Kolkata 4.The Director, Ministry of Corporate Affairs, 5th Floor, 'A' Wing, Shastri Bhawan Dr.Rajendra Prasad Road, PO & PS Shastri Bhawan, New Delhi 110001 5.The Chairman, the Security & Exchange Board of India, Mittal Court, 'A' Wing, Ground Floor, 224, Nariman Point, PO & PS Nariman Point, Mumbai - 400021 6.The Regional Manager, Security & Exchange Board of India, having office at LET Chambers, 3rd Floor, 16 Camac Street, PO & PS Camac Street District Kolkata (West Bengal) 7. The Regional Manager, R.B.I, office at South Gandhi Maidan, PO & PS Gandhi Maidan, District Patna Bihar 8.The Director, Enforcement Directorate, 6th Floor, Lok Nayak Bhawan, Khan Market, PO & PS Khan Market, New Delhi 110003 9.The Director, Central Bureau of Investigation, Plot 5-B6h Floor CGO Complex Lodhi Road, PO & PS Lodhi Road, New Delhi 10.The Director, (Investigation) Income Tax, Aayakar Bhawan, 7th Floor Main Road, PO G.P.O, PS Chutia, District Ranchi 11.The State of Jharkhand 12.The Principal Secretary, Department of Finance, Govt. of Jharkhand, Project Building, PO Dhurwa, PS Jagannathpur, District Ranchi 13.The Director General of Police, the Govt. of Jharkhand, Police House, Dhurwa, PO Dhurwa, PS Jagannathpur, Ranchi 14.Mr.Arshdeep Finance Ltd. through its Chairman cum Managing Director, 13,Ground Floor, Indra Vihar, Near Kingsway Camp., Delhi 15.Waris Finance & Investment Ltd., through its Chairman cum Managing Director 16.Waris Capital Finance & Investment Ltd., through its Chairman cum Managing DirectorRespondents With W.P (PIL)No. 6201 OF2014 Non-Banking Abhikarta Ewam Niwesak Surakcha Sammittee through its President Md.Javed Akhtar son of Md. Ilias resident of Mojahid Nagar, Hindpiri, PS Hindpiri, District Ranchi and Secretary Md.Irfan Ansari, son of late Md.Nasim Ansari, resident of Beldar Mohalla, PO & PS Doranda, Ranchi Petitioner Versus 1.The Union of India 2.The Registrar of Companies, Gate No.6, 437, 'C Wingh Shastri Bhawan New Delhi - 110001 PO & PS Sashtri Bhawan, District New Delhi 3.The Registrar of Companies, West Bengal Ministry of Corporate Affairs Nizam Palace, 2nd MSO Building 3rd Floor, 234/4, AJC Bose Road, Kolkata 700020, PO & PS Malik Bazar, Kolkata 4.The

Director, Ministry of Corporate Affairs, 5th Floor, 'A' Wing, Shastri Bhawan Dr.Rajendra Prasad Road, PO & PS Shastri Bhawan, New Delhi 110001 5.The Chairman, the Security & Exchange Board of India, Mittal Court, 'A' Wing, Ground Floor, 224, Nariman Point, PO & PS Nariman Point, Mumbai - 400021 6.The Regional Manager, Security & Exchange Board of India, having office at LET Chambers, 3rd Floor, 16 Camac Street, PO & PS Camac Street District Kolkata (West Bengal) 7.The Regional Manager, R.B.I, office at South Gandhi Maidan, PO & PS Gandhi Maidan, District Patna Bihar 8.The Director, Enforcement Directorate, 6th Floor, Lok Nayak Bhawan, Khan Market, PO & PS Khan Market, New Delhi 110003 9.The Director, Central Bureau of Investigation, Plot 5-B6h Floor CGO Complex Lodhi Road, PO & PS Lodhi Road, New Delhi 10.The Director, (Investigation) Income Tax, Aayakar Bhawan, 7th Floor Main Road, PO G.P.O, PS Chutia, District Ranchi 11.The State of Jharkhand 12.The Principal Secretary, Department of Finance, Govt. of Jharkhand, Project Building, PO Dhurwa, PS Jagannathpur, District Ranchi 13.The Director General of Police, the Govt. of Jharkhand, Police House, Dhurwa, PO Dhurwa, PS Jagannathpur, Ranchi 14.M/s. Kolkata Weir Industries Ltd. through its Chairman cum Managing Director Priya Niket Naiya Para, Ground Floor, Uttar Hazipur, Diamond Harbour - 743331, West Bengal, Head Office - 38, Kulpi Road, Ward No.12 Baruipur (Padma Pakur More) Kolkata 700144 ... Respondents With W.P (PIL) No. 1132 OF20151.Om Prakash Gupta son of Sri Saligram Prasad Gupta, resident of village - Sijuwa Hara PO Jogiara, PS Pratappur District Chatra 2.Mukesh Kumar Verma, son of Sri Ashok Prasad Verma resident of village , PO & PS Fatchpur District Gaya Bihar 3.Shailesh Kumar Verma son of late Baijnath Mahto, resident of Ramnagar, Nawada, PO, PS & District Nawada, Bihar 4.Vikas Choudhary son of Kailash Choudhary, r/o at Manpur PO Pihra PS Ganwan District - Giridih Petitioners Versus 1.The State of Jharkhand 2.The Chief Secretary,Project Building, PO Dhurwa, PS Jagannathpur, District Ranchi 3.The Director General of Police, Jharkhand, Police Head Quarter, Project Building, PO Dhurwa, PS Jagannathpur, District Ranchi 4.The Deputy Commissioener, Bokaro, PO PS & District Bokaro 5.The Chairman, Reserve Bank India, having office at South Gandhi Maidan, Town & District Patna 6.The Chairman, Security & Exchange of India, Mittal Court, 'A' Wing, Ground Floor, 224, Nariman Point, Mumbai - 400021 7.The Director,

Prevention of Money Laundering, Shivaji Park, PO & PS Boat Club, New Delhi
8. The Director, Central Bureau of Investigation, Plot 5-B6h Floor CGO Complex
Lodhi Road, New Delhi - 110003 9. Sanjay Karmakar, son of Sushil Karmakar,
R/O 382 No Subhasnagar 2 Khardah North 24 Parganas, Kolkata - 743179 10. Raju
Acharya, son of Dulal Acharya, R/O Ichapur Purbasha, PO Nowabganj, District 24
Pgs(N), Kolkata 700125 11. Pijus Kumar Patra, son of Ananda Mohan Patra, R/O
Ghola, C Block Lane 18 PO Sodepur, Plot R/12, 24 Pgs(N), Kolkata 700110
12. Sujit Kumar Das, son of Debabrata Das, R/O 821/11 R Belilious Lane Howrah,
Ward No.19, Sardar Howrah, Kolkata - 711101 13. Pijush Kanti Dey, son of Satya
Ranjan Dey, R/O 5323, Mahajati Nagar, Agarpara, Kolkata - 700109 14. Ganesh
Chandra Saha, son of Manikya Bhusan Saha, R/O Matangini Hazra Rd. Subhas
Chalk, PO Agarpara, Post Ghola, Kolkata - 700109 15. Pintu Dutta, son of
Gouranga Dutta, R/O Bongaon Bagda Road Dan Dik Aban Muri Ghaa Gobrapur
Raster Bamdik Ganprapota - 24 Parganas(N) Kolkata - 743251 16. M/s. Reliable
Multi Managerial Services Ltd. through its Managing Director, Sanjay Karmakar,
son of Sushil Karmakar, R/O Subhas Nagar, Raja Road, PO Sukchar, PS Khardah
Kolkata at present Bhedica Ayurveda Pvt. Ltd. Yugberia Industrial Estate,
Talbanda, Kolkata - 700110 17. Arjun Majumder, Executive Director, son of Sunil
Majumdar, R/O Swati Nagar, Pani Hati, Kharda, Kolkata - 700114 ... Respondents
---- CORAM: HON'BLE MR. JUSTICE VIRENDER SINGH, CHIEF JUSTICE
HON'BLE MR. JUSTICE P.P. BHATT ----- For the Appellant/Petitioner : Mr. Rajeev
Kumar For the Respondent-RBI : M/s. Pandey Neeraj Rai, Rohit Ranjan Sinha For
the Respondent-State : Mrs. Debolina Sen Irani, JC to AG JC to GP IV For the
Respondent-Income Tax Department : Mr. Deepak Roshan For the Respondent-
CBI : Mr. K.P. Deo ----- Dated 22nd June, 2015 The present five Public Interest
Litiagations on board stand disposed of in terms of order dated 11 th May, 2015
passed by the Coordinate Bench of this Court while dealing with W.P(PIL)
No.1635/2014, the issue cropped in the present Public Interest Litiagations being
the same and that all the similarly situated criminal cases (first information reports)
registered at various other police stations about Chitfund Companies having been
handed over to Central Bureau of Investigation (C.B.I) for further investigation. We
hereby make it clear that in the light of the observations made in the aforesaid PIL
(W.P(PIL) No.1635/2014), the investigation of the F.I.Rs being subject matters of

these petitions shall also be handed over to C.B.I for further investigation. All the pending Interlocutory Applications in the present five PILs also stand disposed of accordingly. (Virender Singh, C.J.) (P.P.Bhatt, J.) dey

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com