

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7537 of 2015

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Munindra Kumar, S/o-Sri Krishana Prasad, resident of Nauki Bazar, P.O. & P.S.-Bagaha, District- West Champaran, Present Address-C/o-Ram Iqbal Rai, 2nd floor, Changar, Ashok Nagar, P.S.-Kankarbagh, Patna-20

.... Petitioner/s

Versus

1. Union of India, through Secretary, Ministry of Corporate Affairs, New Delhi
2. The Director, E-governance Cell, Ministry of Corporate Affairs, Government of India, New Delhi
3. The Regional Director Nizam Palace, II MSO Building 3rd Floor, 234/4 A.J.C. Bose Road, Kolkata-20
4. The Registrar of Companies Cum- Official Liquidator, Patna High School, Patna, 4th Floor, A wing, Maurya Lok Complex, Dak Banglow Road, Patna, Bihar
5. The Secretary, the Institute of Cost Accountant of India, 12, Saddar Street, Kolkata(W.B)-700016
6. Mr. Jitendra Kumar, Cost Accountants, resident of 55/27/37, Purbo-Sinhi Road, (Fakir Ghosh), 5th Lane, Kolkata- 700030 having Membership No. 29294.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ujjwal Kumar Sinha

For the Respondent/s : Mr. S. D. Sanjay, ASG

Mr. Anshay Bahadur Mathur, CGC

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-08-2015 Heard Mr. Sinha for the petitioner and Mr. S.D. Sanjay
counsel for the Union of India.

The petitioner is the Ex-Director of a Company M/s Bagaha Contractors (P) Ltd incorporated under the Companies Act. He filed a complaint (Annexure-6) on 04.04.2014 before the appropriate authority of the Union of India. The same has not been considered and disposed of. This being the background, the

writ petition has been filed for directing the concerned respondent to make an enquiry against the private respondent in accord with different circulars of the respondent, particularly Circular No. 14 of 2011, copy whereof has been annexed as Annexure-1.

Although Mr. Sanjay prayed for accommodation/adjournment of the case for filing a counter affidavit, but considering the grievance of the petitioner that the said application/complaint having been filed on 04.04.2014 which requires enquiry in terms of the circular of the respondent-Union of India, he agreed for disposal of the matter.

Regard being had to above, this Court disposes of the application by directing the Regional Director (respondent no.3) to hold an enquiry about genuineness of the complaint and thereafter take appropriate decision/action as required of him vide Annexure-1. Such consideration should be made within four weeks from the date of receipt/production of a copy of this order before the said respondent.

(Kishore Kumar Mandal, J)

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