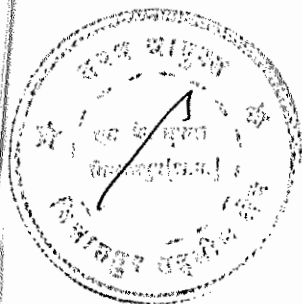


1
Single Bench

IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

W.P.(C) No. 2192/2014

<u>PETITIONERS</u> 2192/14 Presented by Sh. Pradyumn 21/11/14	1]	Vee-Realties India Limited "Shubham" House No. 56 Ward No. 39, Riddhi Siddhi, Colony Rajnandgaon Chhattisgarh-491441 Through its director Buddhadas Ramteke aged 33 years S/o. Sh. Premdas Ramteke, R/o. "Premfule" Niwas in front of Dhwani apartment sister Colony, Naginabag Ward, Chandrapur, P.S. & Post. Chandrapur, Civil & Revenue District. Chandrapur, Maharashtra.
	2]	Kamlesh Verma aged 39 years Sh. Paltan Ram Verma, R/o. H. No. 2, Riddhi Siddhi Colony Dongargaon Road, Rajnandgaon, P.S. & Post. Rajnandgaon, Civil & Revenue District. Rajnandgaon, C.G.
		<u>VERSUS</u>



<u>RESPONDENTS</u>	1]	State of Chhattisgarh Through Home Secretary, Mahanadi Bhawan, Mantralaya, Naya Raipur, P.S. & Post. Naya Raipur, Civil & Revenue District. Raipur, Chhattisgarh.
	2]	Additional Superintendant of Police, Rajnandgaon, P.S. & Post. Rajnandgaon, Civil & Revenue District. Rajnandgaon, Chhattisgarh

**WRIT PETITION UNDER ARTICLE 226 & 227 OF THE
CONSTITUTION OF INDIA**



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HIGH COURT OF CHHATTISGARH : BILASPUR

WRIT PETITION (C) NO.2192 OF 2014

PETITIONERS

Vee-Realties India Limited & Another

Versus

RESPONDENTS

State of Chhattisgarh & Another

Post for pronouncement of orders on the 13th day of January, 2015

Sd/-

**Prashant Kumar Mishra
Judge**

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HIGH COURT OF CHHATTISGARH : BILASPUR

WRIT PETITION (C) NO.2192 OF 2014

PETITIONERS

Vee-Realties India Limited & Another

Versus

RESPONDENTS

State of Chhattisgarh & Another

Single Bench : Hon'ble Shri Justice Prashant Kumar Mishra

Present :- Shri S.S. Mishra & Shri R.K. Parashar, Advocates for the
petitioners.

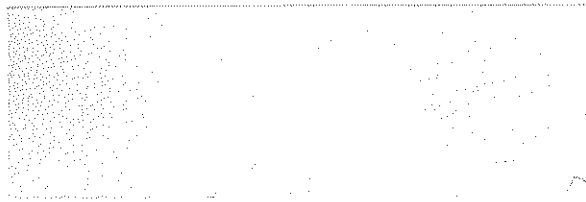
Shri Adiraj Surana, Dy. Govt. Advocate for the State.

ORDER

(Passed on this 13th day of January, 2015)

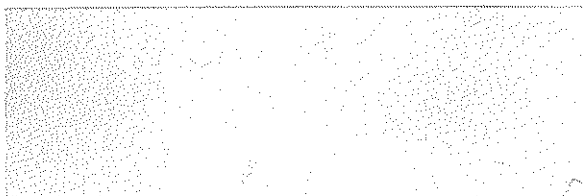
Heard learned counsel for the parties.

1. Petitioners have preferred this writ petition seeking direction to the respondents to accept the undertaking made by the petitioner No.1, allow them to comply with the same and prevent the respondents from interfering with smooth functioning of the petitioner No.1 company. A prayer has also been made to prevent the respondents from freezing the bank accounts, attach the properties etc. of the petitioner No.1 company and to direct the local police to provide adequate security to the petitioner No.2.
2. Petitioner No.1 is a reality company whereas the petitioner No.2 is the proprietor/Director of the said company. The petitioners allegedly allured the customers inviting them to invest money in the company with the assurance to return the appreciated value of the invested amount.
3. An FIR (First Information Report), on crime No.411/14, was filed against the petitioner company with the Basantpur Police Station of



Rajnandgaon District, alleging commission of offence punishable under Section 420 of the Indian Penal Code (for short 'the IPC') at the instance of the complainant namely; Moreswar Rajgire alleging that the company has obtained payments in installments total Rs.4.80 lacs, but the said amount is not returned.

4. Another FIR, on crime No.418/14, has been registered in the same police station for offences punishable under Sections 406, 409 & 420 read with Section 34 of the IPC at the instance of the complainant namely; Arjunram Verma, alleging cheating to the tune of Rs.27.00 lacs.
5. In yet another FIR, bearing crime No.150/14, registered at Police Station Gandai of Rajnandgaon District for offence under Section 420 read with Section 34 of the IPC, at the instance of Atmaram Verma, similar allegations have been made.
6. It has been argued by the learned counsel appearing for the petitioners that the local police is harassing the petitioners and a panic has been created in the area tarnishing the image of the company, therefore, the respondents deserve to be commanded to allow the petitioners to run their company smoothly.
7. It appears for quashing of FIR Nos.411/14 & 418/14 petitions under Sections 482 of the Code of Criminal Procedure, 1973 have been filed by one Kamlesh Verma before this Court bearing Cr.M.P. Nos.865 & 942 of 2014 and the said petitions are pending consideration before this Court. The petitioner has also been granted bail by the Sessions Court, Rajnandgaon.





8. Merely because the local police convened a press conference, it cannot be said that the functioning of the company is hindered. If the bank accounts have been freezed, the remedy for the petitioner lies to approach the criminal Court and seek remedy in accordance with law. No order has been annexed nor any such order has been assailed wherein bank accounts have been directed to be freezed.
9. In the absence of any specific prayer with respect to any particular order or conduct or action of the respondents by which the petitioner is aggrieved, a blanket writ of mandamus or writ of prohibition cannot be issued.
10. It is the settled law that a statutory authority cannot be restrained by issuing a writ of mandamus to carry on their statutory work or to act contrary to law. (See: **Union of India and Another v. Kirloskar Pneumatic Co. Ltd.**¹).
11. If an order is passed and a specific challenge is thrown, the same shall be decided within the four corners of the legal provisions, but a blanket prohibition cannot be issued.
12. In the opinion of this Court, the writ petition is misconceived. It is accordingly dismissed.

Gowri

Sd/-
Prashant Kumar Mishra
Judge

¹(1996) 4 SCC 453