

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1735 of 2019

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Birendra Ojha S/o Late Sudarshan Ojha Resident of Shantinagar, (Rathaur Tola), P.O. Gurukul Mehiyan, P.S. Muffasil Chapra, District- Saran.

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Government of India, Ministry of Finance, North Block, New Delhi.
2. The Secretary, Government of India, Ministry of Corporate Affairs, 'A' Wing Shastri Bhawan, New Delhi.
3. The Securities and Exchanges Board of India, Plot No. 64-A,'G', Block, Bandra Kurla Complex, Bandra (East), Mumbai.
4. The State of Bihar through the Chief Secretary Government of Bihar, Old Secretariat, Patna.
5. The State of West Bengal, through the Chief Secretary, Government of West Bengal, Nobanna, 325, Sarat Chatterjee Road, Howrah.
6. The Principal Secretary, Ministry of Finance, Government of Bihar, Patna.
7. The Regional Special Director, Enforcement Directorate, Rajaji Salai, Chhajjubagh, Patna.
8. The Director General of Police, Bihar, Patna.
9. The Superintendent of Police, Saran, Chapra.
10. Alchemist Infra Reality Limited having its Office at 723, DLF Tower 'A' Jasola, District Centre, New Delhi and also at Unit No. GF- 18 Gound Floor, Omax Square, Jawla District Centre, New Delhi through its Director.
11. Alchemist Infra Reality Limited, having its Registered Office at 100, 1st Floor, Okhla Industrial Estate, Phase- III, New Delhi, through its Manager.
12. Authorized Officer, Alchemist Infra Reality Limited, C/o Mr. Pramjit Singh, Maturity Suchita, Registered Office 100, 1st Floor, Okhla Industrial Estate Phase III, New Delhi.
13. Manager, Head Office, Alchemist Infra Reality Limited, Floor No. 5, through Paramjit Singh, Maturity Suchita, I.T. Park, New Infosys Company Ltd., Chandigarh.
14. Manager, Regional Office, Alchemist Infra Reality Limited, H.M. Building, through Paramjit Singh Maturity Suchita, 4th Floor, 15 Ganesh Chandra Avenue, Kolkata
15. District Magistrate-cum- Collector, Saran.
16. Branch Manager, Alchemist Infra Reality Limited, Chapra Branch, 3rd Floor, J.P. Market, Srinandan Path, Chapra- 841301

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Anuj Kumar Shrivastava, Advocate
For the UOI	:	Mr. Awadhesh Kumar Pandey, Sr. Panel Counsel
For the Respondent/s	:	Ms. Smriti Singh (AC to AAG10)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-02-2019

This writ application has been preferred for issuance



of a direction to the State respondents to make sure that the deposited amount of the petitioner with all incentives be paid to the petitioner by the private respondents.

In course of hearing, learned counsel for the petitioner submits that in fact he has invested his amount by way of shares and is looking for refund of his share money. If this is the position, this court is of the considered opinion that the court sitting in it's writ jurisdiction will not be competent to issue a direction to pay share money of a share holder of the company as it would be within the domain of the company court or the tribunal where such winding-up application is pending.

This writ application seems to be devoid of merit and is, accordingly, dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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