

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18112 of 2018

1. Shobha Sharma, Wife of Ramesh Sharma Resident of Lalganj Road, Gadai, Sarai, P.S. - Sarai, District - Vaishali at Hajipur.
2. Ghan Shyam Kumar Gupta Son of Late Ram Chandra Prasad Gupta Resident of Bagmali, P.S. - Hajipur, District - Vaishali at Hajipur.
3. Ramesh Kumar Sharma Son of Mahendra Prasad Sharma Resident of Ward No. 12 Gadar Sarai, P.S. - Sarai, District - Vaishali.
4. Chanchala Sharma, Wife of Subhash Chandra Sharma @ S.C. Sharma Resident of Anawarpur Cinema Road, P.O. + P.S. - Hajipur, District - Vaishali.
5. S.C. Sharma @ Subash Chandra Sharma Son of Jang Bahadur Sharma Resident of Anwarpur, Cinema Road, P.O. + P.S. - Hajipur, District - Vaishali.
6. Siya Ram Sharma Son of Sukhdeo Sharma Resident of Govind Chak, Near Govind Chak, More, District - Saran.
7. Ravindra Nath Son of Mishri Thakur Resident of Village - Shri Rampur, P.O. + P.S. - Meenapur, District - Vaishali.
8. Amarjeet Kumar, Son of Surendra Singh Resident of Ward No. 30, Chakwara, P.S. - Hajipur Town, District - Vaishali.
9. Hemant Kumar, Son of Sri Ram Singh Resident of Village Saidpur Jahind, P.S. - Ujiyarpur, District - Samastipur.
10. Sri Ram Singh, Son of Ramanand Singh Resident of Village - Bhagwanpur, Kamla, P.S. - Ujiyarpur, District - Samastipur.
11. Parwati Devi Wife of Late Anil Kumar Sah Resident of Village- Purushottampur, P.S. - Janardhanpur, District - Samastipur.
12. Vidya Sagar Rai, Son of Deena Nath Ray Resident of Brahmpura Batlar Colony, P.S. - Muzaffarpur, District - Muzaffarpur.
13. Ram Pravesh Ray Son of Nandlal Ray Resident of Village - Gangajal, P.S. - Raja Pakar, District - Vaishali.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Govt. of Indian, Ministry of Finance North Block, New Delhi-1.
2. The Securities and Exchanges Board of India Plot No. C4-A-”G” Block Bandra Kurla Complex Bandra (East) Bombay-51.
3. The Secretary Ministry of Corporate Affairs and Wings Shastri Bhawan Rajendra Road, New Delhi - 1.
4. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
5. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
6. The Inspector General of Registration Govt. of Bihar, Patna.
7. The Regional Spl. Directorate Enforcement Directorate Eastern Region



- Kolkata C.G.O. Complex M.S.O. building Slat lake sector-1, Kolkata-64.
8. The Director General of Police, Bihar, Patna.
 9. The Inspector General C.I.D. Bihar, Patna.
 10. The Superintendent of Police, C.B.I. Patna.
 11. The Superintendent of Police, Vaishali.
 12. The S.H.O. Sadar Police Station - Haripur, Vaishali.
 13. The Alchemist Holding Ltd. its office at 405, Jyoti Sikhar Tower, Janak Puri, New Delhi - 58.
 14. The Turbo Holding Ltd. Office at SCO 12-B Sector 9D Madhyamarg Chandigarh - 17.
 15. The Alchemist Infra Reality Ltd. Office at 723, DLF Towner- A Jasola District Centre New Delhi – 110044.
 16. Turbo Infotech and Industries Ltd. Office at Sco 12-17, Sec- 9, Madhyamarg Chandigarh.
 17. Turbo Industries Ltd. Office at Sco 12-13 Sec Madhyamarg Chandigarh - 17
 18. Alchemist Ltd.
 19. Infotech Division
 20. Food Processing Division
 21. Biotech Division Office at Sco 12-13 Sec- Madhyamarg.
 22. Alchemist Town Ship India Ltd Office at SCO 232-233 3rd Floor Sec 344 Chandigarh - 22 and Corporate office at Ansal Tower, 38 Nehru Place New Delhi.
 23. Mr. Kanwar Deep Singh, Chairman Emeritus, Alchemist Group of Companies, permanently residing at House No. 159, Sector-9B, Chandigarh, presently residing at 100, South Avenue, New Delhi-110011.
 24. Mr. Karan Deep Singh, Chairman, Alchemist Group of Companies, residing at House No. 159, Sector - 9
 25. Mr. Pavan Kumar Verma, Director.
 26. Ms. Maria Fernandes, Director.
 27. Mr. Bikram Bhattacharya, Director
 28. Mr. Vinoy Kumar Mittal, Director
 29. Mr. Vimal Kumar Sharma, Director
 30. Mr. Tanveer Gill, Director Nos. 24 to 29 having their office at H.O. SCO 12 - 13 Sector - 9D, Madhyamarg Chandigarh-60017.
 31. Mr. Mansoor Ahmed, Director
 32. Mr. Haxiharan Neeraraghavan, Director
 33. Mr. Subramanian Ayyappakutti Nambi, Director
 34. Sangita Devi, Director.
 35. Balbir Singh, Director Nos. 31 to 35 having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra, Avenue, Kolkata-700013.



36. Mr. Vikramaditya Singh, Director.
37. Mr. Chandra Shekhar Chauhan, Director
38. Mr. Krishna Kabir Singh, Director
39. Ms. Jaishree Noor. Director Nos. 36 to 39 having their office at SCO, 232-233, 3* Floor, Sector 344, Chandigarh-160022 and corporate office at 411-412, Ansal Tower, 38, Nehru Place, New Delhi-110019.
40. Mr. Brijmohan Mahajan, Director, residing at House No. 194, Sector - 18A, Chandigarh - 160018.
41. Mr. Sunil Kanti Kar, Director, residing at 14, Southend Park Lane, Kolkata - 700029.
42. Mr. Narayan Madhav Kumar, Director, House No. 2047, Sector- 44C, Chandigarh- 160044.
43. Mr. Chhatrasalsingh Narendrasingh Ranawat, Director.
44. Mr. Nand Kishore Singh, Director.
45. Mr. Krishna Kabir, Director.
46. Mr. Surendra Singh Malik, Director.
47. Mr. Sushil Kumar, Director Nos. 43 to 47 having their office at 723, DLF Tower A' Jasola, District Centre, New Delhi- 110044, and also at Unit No.GF-18, Ground Floor, Omax Square, Jasola, District Centre, New Delhi - 110025.
48. Mr. Satender Singh Jam, Director.
49. Mr. Ajay Kumar, Director.
50. Mr. Vijay Kumar, Director.
51. Mr. Charan Deep Jolly, Director Nos. 47 to 50 having their office at H.M. Building, 4th Floor, 15, Ganesh Chandra Avenue, Kolkata-700013.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Verma, Advocate
For the Respondent/s : Mr.Lalit Kishore, AG

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-01-2020

The petition filed on 07.09.2018 is listed for hearing for
the first time today before the Court.



Heard learned counsel for the petitioners and learned counsel for the respondents.

Petitioners have prayed for the following relief/s:

“ (i) That the petitioners pray to the Hon’ble High Court to direct respondents to release / refund Public Money which has been taken / deposited in various scheme under Respondent Company (Alchemist Group of Company) as per guarantee / insurance given through their respective maturity as same will be refunded which has already been expired.

(ii) For that to protect Public savings in the hands of a corporate body in exercise of power conferred by Section 58A of the Companies Act, 1956 and the Central Government made the company (Acceptance of deposits) Rule 1975 imposing inter alia restrictions on interest rate and on borrowing above 25% of net worth of company from public deposits.

(iii) For that petitioners further pray to protect the public money in hands of corporate company by adopting 117A, 117B and 117C Section of Company Act, 1956 and for that Parliament has made/imposed certain restrictions in the matter of securing deposits by issuance of debentures.”

After the matter was heard for some time, learned counsel for the petitioners submits that petitioners shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioners shall be making afresh within a period of four weeks from today.



Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioners take recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.01.2020
Transmission Date	NA

