

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21326 of 2018

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1. Raghunandan Modi son of Banarsi Modi resident of Village- Bikrampur, P.S. Bihpur, District- Bhagalpur.
 2. Chandeshwari Prasad son of Mohi Mandal, resident of Village- Moulia, P.S. Gogri, District Khagaria.
 3. Shyam Sundar Thakur @ Shyamsundar Thakur son of Manik Thakur Ward No. 11 Gaura Shakti Tola, P.S. Mufassil and District Khagaria.
 4. Yogendra Modi son of Banarsi Modi resident of Village- Bikrampur, P.S. Bihpur, District Bhagalpur.
 5. Amit Kumar son of Ram Deo Pandit, resident of Ward No. 1, Mahsauri, P.S.- Mufassil, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Union of India through the Secretary, Ministry of Finance, Government of India, North Block, New Delhi
4. The Central Bureau of Investigation, New Delhi.
5. The Director, Central Bureau of Investigation, New Delhi.
6. The Director, Enforcement Directorate, Shivaji Park, Lodhi Road, New Delhi.
7. The Director Investigation, Income Tax, Income Tax Building, Patna.
8. Alchemist Infra Realty Limited through its Director Chatrasal Singh son of Narendra Singh Ranawat, having its registered office at 723, DLF Tower 'A' Jasola District Centre P.O. Savita Bihar, P.S. Savita Bihar, New Delhi- 110044.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
Mr. S.K. Singh, Advocate
For Revenue : Mrs. Archana Sinha @ Shahi, Sr. SC



		Mr. Sanjeev Kumar, Advocate
		Mr. Alok Kumar, Advocate
For the U.O.I.	:	Mr. S.D. Sanjay, ASGI
		Mr. Rajesh Kumar Verma, Advocate
For the State	:	Mr. Ajay Kumar Rastogi, AAG-10
For CBI	:	Mr. Bipin Sinha, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Rastogi- Aag10

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 31.10.2018 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:

“For issuance of an appropriate writ/order in the nature of mandamus for directing and commanding the respondents particularly the respondent No. 4 to 7 to investigate the misdeeds committed by the private Respondent no. 8 who have siphoned more than 100 crores rupees from the State of Bihar and the poor investors have no specific remedy to recover the such a huge amount and on similar matter the Hon’ble High Court of Jharkhand passed a detailed order in W.P. (PIL) No. 1635/2014 disposed of on 11.05.2015 and pursuant thereto the private Respondent No. 8 started making payment to



the investor but so far the investor of Bihar is concerned, the private Respondent No. 8 has not taken any action till so far and further to issue of similar direction to the Respondent No. 4 to 7 so that the investor also get their amount which has already been matured and withheld by the Private Respondent No. 8 and further for any other appropriate relief or reliefs for which the petitioners are entitled in the facts and circumstances of this case.”

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)

P.K.P./-

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