

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9173 of 2018

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1. Manoj Kumar, Son of Amiram Saw, Resident of Mohalla-Dharamraychak, P.O.-Lakhisarai, P.S.-Lakhisarai, District-lakhisarai.
 2. Sukhdeo Mistry, Son of Late Bano Mistry, Resident of Mohalla-Dharampur, ---Malia, P.S.-Chanan, District-Lakhisarai.
 3. Manoj Kumar Modi, Son of Kapil Dev Modi, Resident of Mohalla-Dalpatti Naya Bazar, Ward no.26, P.O.-Lakhisarai, P.S.-Lakhisarai, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Corporate Affairs, Govt. of India, New Delhi.
2. Securities and Exchange Board of India, SEBI Bhawan, Bandra Kurla Complex, Bandra East, Mumbai, 400
3. The Registrar of Companies Cum Official Liquidator, Ministry of Corporate Affairs, Kolkata, West Bengal.
4. M/s Ramel Real Estate and Infrastructure Ltd. through its Promoter/ Directors, 15 Krishna Nagar Road, Kolkata, West Bengal-700 126.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the Respondent Nos. 1 & 3	:	Mr. S.D Sanjay Addl. Soc. Gen. Mr. Anshay Bahadur Mathur, CGC
For the Respondent SEBI	:	Mr. S.D. Sanjay, Sr. Advocate Ms. Parul Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 24-02-2020 Heard learned counsel for the parties.

2. This writ application has been filed seeking direction to the respondents to conduct an enquiry in respect of the defalcation and embezzlement of public money made by a Private Company, M/s. Ramel Real Estate and Infrastructure Ltd., Kolkata. It is the petitioners' case that without any valid



permission from the Reserve Bank of India and other statutory Authorities, the said Company had indulged in making innocent persons invest in the said Company under various schemes like Fixed Deposit, Recurring Deposit etc. It is the petitioners' case that after having collected huge money from the Investors, the Office of the Company at Lakhisarai has been closed. The petitioners were working as Agents of the Company, through whom the said deposits were made by the investors.

3. Be that as it may, if it is the petitioners' case that the Directors or Officers of the Company indulged in any criminal activity constituting any criminal offence, they are at liberty to lodge a criminal case against them. No direction is needed for the said purpose in a proceeding under Article 226 of the Constitution of India.

4. This writ application is, accordingly, disposed of with the aforesaid observation.

(Chakradhari Sharan Singh, J)

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