

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5179 of 2021

Md. Abdul Wahab Son of Md. Nizamuddin Resident of Village- Hajipur Road
Para, P.O.- Katihar Court, Police Station- Katihar (Muffasil), District- Katihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, New Secretariat, Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Collector, Bhagalpur, District- Bhagalpur.
4. The Collector, Banka, District- Banka.
5. The Collector, Munger, District- Munger.
6. The Collector, Jamui, District- Jamui.
7. The Collector, Purnia, District- Purnia.
8. The Union of India through the Secretary, Ministry of Finance, North Block, New Delhi.
9. The Secretary, Ministry of Finance, North Block, New Delhi.
10. Securities and Exchange Board of India through its Chairman, SEBI Bhawan, Bandra Kurla Complex, Bandra (E) Mumbai- 400051.
11. Sushine Global Agro Ltd through its Managing Director at NH- 31, Ford Company, Purnea, Bihar.
12. Md. Mokarram Son of not known to the Petitioner Managing Director of Sunshine Global Agro Ltd at NH- 31 Ford Company, Purnea, Bihar.
13. Mr. Lekh Narain Chand Son of not known to the Petitioner the Chairman of Sunshine Global Agro Ltd. at Navratan Hata P.O. and P.S.- Purnea, District- Purnea.
14. Md. Ahteshamul Haque (Director) Son of Late Md. Zakaria C/o Md. Yunus at Muzaffar Nagar, Line Bazar, Purnea, P.O. and District- Purnea.
15. Md. Ashif Khan (Director) Son of Alauddin Khan at Manihari South Tola, P.O./ P.S.- Manihari, District- Katihar.
16. Mr. Wasim Khan (Director) Son of Alauddin Khan at Manihari, South Tola, P.O. and P.S.- Manihari, District- Katihar.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Md. Nurul Hoda
For the Respondents	:	Mr. Anil Kumar Singh, G.P.-26



CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 25-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

The petitioner asserts that he was engaged as Collection Agent of Sunshine Global Agro Company Limited in the year 2009. He further asserts that he had collected money for recurring deposits, fixed deposits and monthly income plan from various investors, which he had deposited in the account of said Company.

It is the petitioner's case that after 2013, the Company has stopped paying the maturity amounts of the investments made by customers and has closed the branch. In the said background, the petitioner is seeking a direction to respondents No. 1 to 9 to take action against respondents No. 11 to 16 and refund the money collected from the investors in accordance with the Bihar Protection of Interest (In Financial Establishment) Act, 2002 and Securities and Exchange Board of India Act, 1992.

In our opinion, the petitioner himself being an agent of the said Company cannot maintain his claim before this Court



by filing present writ application.

This writ application, in our considered opinion, is completely misconceived and is accordingly dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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