

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9133 of 2022

1. Pramod Kumar Son of Late Yogeshwar Jha Resident of Village- Bhagwanpur Goraul, P.O and P.S.- Goraul, District- Vaishali.
2. Satendra Prasad Singh Son of Sri Dhaneshwar Singh Resident of Village- Ragho Majhauri, P.O. and P.S.- Bochaha, District- Muzaffarpur.
3. Mohan Singh Son of Late Ranjeet Singh Resident of Village- Bela Chhapra, P.O.- MIC Bela, P.S.- Bela, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. Life Insurance Corporation of India through its Chairman Head Office- 5th Floor, Westwing Yogakshema, Jeevan Bima Marg, Nariman Point, Mumbai- 400021.
2. The Managing Director Life Insurance Corporation of India, Head Office- 5th Floor, Westwing Yogakshema, Jeevan Bima Marg, Nariman Point, Mumbai- 400021.
3. The Regional Manager East Central Zone, Life Insurance Corporation of India, 5th Floor, Jeevan Deep, Exhibition Road, Patna-1.
4. The Senior Divisional Manager L.I.C., Divisional Office, Jeevan Prakash, Umashankar Pd. Marg, Ramna, Muzaffarpur- 842002.
5. The Divisional Manager L.I.C. Divisional Office, Jeevan Prakash, Umashankar Pd. Marg, Ramna, Muzaffarpur- 842002.
6. The Life Insurance Corporation of India Micro Insurance Department, through its Executive Director (Micro Insurance) Central Office, 5th Floor, Westwing Yogakshema, Jeevan Bima Marg, Nariman Point, Mumbai- 400021.
7. The Senior Branch Manager L.I.C., Micro Insurance Department, Divisional Office of LIC, Jeevan Prakash, Umashankar Pd. Marg, Ramna, Muzaffarpur- 842002.
8. The Divisional Manager L.I.C., Divisional Office, Micro Insurance Development Department, Jeevan Prakash, Umashankar Pd. Marg, Ramna, Muzaffarpur- 842002.
9. The Deputy Manager Micro Bima Department, L.I.C., Divisional Office, Umashankar Pd. Marg, Ramna, Muzaffarpur- 842002.
10. The Principal Secretary Department of Agriculture and Corporation, Govt. of India, Office of the Central Registrar of Co-operative Society, Krishi Bhawan, New Delhi.
11. The Joint Secretary to the Govt. of India and Central Registrar of Cooperative Societies Department of Agriculture and Co-operation, Office of the Central Registration of Co-operative Societies, Krishi Bhawan, New Delhi.
12. The Secretary Department of Co-operative Societies, Govt. of Bihar, Vikash



Bhawan, Patna-1.

13. The Registrar Department of Co-operative Societies, Govt. of Bihar, Vikash Bhawan, Patna-1.
14. The Registrar of District Co-operative Societies Govt. of Bihar, Combined Building Muzaffarpur.
15. The Commissioner Tirhut Division, Muzaffarpur.
16. The District Magistrate Muzaffarpur.
17. The Director General of Police Patel Bhawan, Bailey Road, Patna- 23.
18. The Deputy Director of General of Police Patel Bhawan, Bailey Road, Patna- 23.
19. The Inspector General of Police Tirhut Division, Muzaffarpur.
20. The Senior Superintendent of Police Muzaffarpur.
21. The Superintendent of Police Muzaffarpur.
22. The S.H.O. of Town Police Station Muzaffarpur Sadar, Muzaffarpur.
23. The S.H.O. of Mithanpura Police Station Muzaffarpur.
24. The S.H.O., Kazi Mohammadpur Police Station Muzaffarpur.
25. The Economic Offences Unit, Bihar Through its Additional Director General of Police, Dr. Sri Krishna Singh Path, Raj Marg, Patna- 800001.
26. The Superintendent of Police, the Economic Offences Unit Bihar, Dr. Sri Krishna Singh Path, Raj Marg, Patna- 800001.
27. The Chairman of the Insurance Regulatory and Development Authority (Licensing Authority of Corporate Agents), New Delhi.
28. Swarn India Realty Projects Private Ltd. Through its Registrar, C/o Ratnesh Thakur, 35 C.R. Avenue, 6th Floor, Kolkata- 700012, West Bengal.
29. Sri Anil Kumar alias Anil Kumar Chaudhary Son of Sri Ram Briksha Chaudhary Resident of Village- More Nisf, Basauli, P.S.- Maniyari, District- Muzaffarpur, at present resident of Mohalla- Kapoor Bagh, Road No.- 1, Imli Chouk, Bela, P.S.- Mithanpura, District- Muzaffarpur, PIN- 842002.
30. Swarn India Financial Services Through its Chairman Sri Anil Kumar alias Anil Kumar Chaudhary, aged about 40 years, male, Registered Office- the 1st Floor Sahu Market, Aghoria Bazar, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002.
31. Swarn India Multi State Co-operative Society Ltd. (Registration No. MCS/CR/600/2012) Through the Chairman Sri Anil Kumar alias Anil Kumar Chaudhary, aged about 40 years, male, son of Sri Ram Briksha Chaudhary, Registered Office- the 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002.
32. Swarn India Multi State Credit Co-operative Society Ltd. Through its Chairman and Managing Director Sri Anil Kumar alias Anil Kumar Chaudhary, aged about 40 years, male, son of Sri Ram Briksha Chaudhary, Registered Office- the 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur, PIN No.- 842002, at present residing in Mohalla- Kapoor Bagh, Road No.-1, Imli Chouk, Bela,



- P.S.- Mithanpura, District Muzaffarpur and his permanent home address in Basauli, P.S.- Maniyari, District- Muzaffarpur, Mobile No. 9334914489, Mobile No. 6202779496, 9934121212, 7004430061 and 9973247006.
33. Swarn India Food and Beverage Pvt. Ltd. (Registration No. MCS/CR/660/2012) Through its Chairman and M.D. Sri Anil Kumar alias Anil Kumar Chaudhary, aged about 40 years, male, Registered Office, Turki, Sakri Saraiya, In front of Reliance Petrol Pump, P.S.- Kudhni, District- Muzaffarpur.
 34. Swarn City, through its Chairman and M.D. Anil Kumar alias Anil Kumar Chaudhary, aged about 40 years, male, Registered Office- Kalam Bagh Road, Panjabi Colony, Gannipur, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur. residents of Mohalla- Kapoor Bagh, Road No.-1, Imli Chouk, Bela, P.S.- Mithanpura Town, District- Muzaffarpur, whose permanent home address is Village More Nisf, within Basauli Panchayat, P.S.- Maniyari, District- Muzaffarpur.
 35. Swarn India Resort and Tour Pvt. Ltd. Through Sri Anil Kumar alias Anil Kumar Chaudhary, aged about 40 years, male, the Chairman and M.D., Registered Office- 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur. residents of Mohalla- Kapoor Bagh, Road No.-1, Imli Chouk, Bela, P.S.- Mithanpura Town, District- Muzaffarpur, whose permanent home address is Village More Nisf, within Basauli Panchayat, P.S.- Maniyari, District- Muzaffarpur.
 36. Mukesh Kumar Son of Ram Briksh Chaudhary Posted as C.E.O. of Swarn India Multi State Credit Co-operative Society Ltd., registered Office- 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002, Mobile Nos.- 8252992484 and 8051111111. residents of Mohalla- Kapoor Bagh, Road No.-1, Imli Chouk, Bela, P.S.- Mithanpura Town, District- Muzaffarpur, whose permanent home address is Village More Nisf, within Basauli Panchayat, P.S.- Maniyari, District- Muzaffarpur.
 37. Sunita Kumari Wife of Anil Kumar @ Anil Kumar Choudhary Posted as the Member of the Board of Directors, Swarn India Multi State Credit Co-operative Society Ltd., whose registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002. residents of Mohalla- Kapoor Bagh, Road No.-1, Imli Chouk, Bela, P.S.- Mithanpura Town, District- Muzaffarpur, whose permanent home address is Village More Nisf, within Basauli Panchayat, P.S.- Maniyari, District- Muzaffarpur.
 38. Sonu Kumar alias Sonu Kumar Chaudhary Son of Ram Briksha Chaudhary Posted as the Member of the Board of Directors, Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002, Mobile No.- 8340122078. residents of Mohalla- Kapoor Bagh, Road No.-1, Imli Chouk, Bela, P.S.- Mithanpura Town, District- Muzaffarpur, whose permanent home address is Village More Nisf, within Basauli Panchayat, P.S.- Maniyari, District- Muzaffarpur.
 39. Smt. Sudama Devi Wife of Ram Briskha Chaudhary Posted as the Member of the Board of Directors, Swarn India Multi State Credit Co-operative Society Ltd., whose registered Office at 1st Floor Sahu Market, Aghoria



- Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002.
40. Minu Chaudhary Wife of Mukesh Kumar @ Mukesh Kumar Chaudhary Posted as the Member of the Board of Directors, Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002.
 41. Sri Ravi Shankar Mishra Son of Nandlal Mishra Posted as the Manager, Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002, At present resident of Mohalla Ram Bagh, Muzaffarpur- 842002, Mobile Nos. 9835283606, 7371996076.
 42. Sri Ritesh Ranjan Son of Sri Jagarnath Singh Posted as the Assistant Manager, Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002, At Present resident of Village Dariyapur Kaphen, P.S.- Kudhni, District- Muzaffarpur, Pin- 844127.
 43. Sajid Hussain Son of name not known to the petitioners Posted as the Marketing Manager of Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002. At present resident of Home Village- Sakri Saraiya, P.S.- Kudhni, District- Muzaffarpur, PIN- 844127.
 44. Sri Prabhat Kumar Ranjan Son of Sri Dinesh Prasad Posted as the Marketing and Management Officer of Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002. At present resident of Village Home- Mahdaiya, P.S.- Minapur, District- Muzaffarpur, Mobile No.- 8709530551.
 45. Sri Mukesh Kumar Son of Late Munmeshwar Chaudhary Posted as Cashier of Swarn India Multi State Credit Co-operative Society Ltd., Muzaffarpur, registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- PIN- 842002. At present residing in his Home Village- Sakra Bajid, P.S.- Sakra, District- Muzaffarpur, Mobile No.- 9801941911.
 46. Sri Rajesh Kumar Son of Late Harinarain Bhagat Posted as Officer Loan Department of Swarn India Multi State Credit Co-operative Society Ltd., Muzaffarpur, registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002. at present residing at Village Lichi Bagan, Gobarsahi, P.S.- Bhagwanpur, District- Muzaffarpur.
 47. Farhad Ansari Son of name not known to the petitioners Posted as the Verification Officer of Swarn India Multi State Credit Co-operative Society Ltd., Muzaffarpur, registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur- 842002, at present residing in his Village Home- Kanti, P.S.- Kanti, District-



Muzaffarpur.

48. Sri Ranjeet Kumar Son of name not known to the petitioners Posted as the Verification Officer of Swarn India Multi State Credit Co-operative Society Ltd., registered Office at 1st Floor Sahu Market, Aghoria Bazar, Muzaffarpur Town, P.S.- Kazi Mohammadpur, District Muzaffarpur, At present residing in his Village home- More Nisf, P.S.- Maniyari, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandra Mauli Chaurasia, Advocate
For the Respondent/s : Mr.P.K. Verma (AAG 3)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 01-07-2022

Petitioner has prayed for the following relief(s):-

- i) For issuance of a writ in the nature of Mandamus commanding the Respondents no. 25 and 26 to make investigation of the case against the respondents nos. 29 to 48 and to arrest them in accordance with law immediately, since the instant matter is related to misappropriation or defalcation of a huge amounts of More than 55 crores of rupees of the public money done by the



Respondents no. 29 to 48 by opening of different chit funds in different names and style in collusion with L.I.C. Officers (Respondents No. 1 to 9) in the supervision of the Respondents No. 10 to 14 in the facts and circumstances of the case stated below in this Writ Application.

- ii) For issuance of a writ in the nature of Mandamus commanding the Respondents No. 25 and 26 to lodge the case against the Respondents No. 29 to 48 as per law and to make enquiry and investigation of the case themselves and to submit enquiry report up-to-date at their own level in this Hon'ble Court in this case and to arrest the Respondents No. 29 to 48 immediately after remanding them in jail custody for doing proper investigation as per law in the



facts and circumstances of the case on record.

iii) For direction to the Respondents No. 17 to 24 to assist the Respondents No. 25 and 26 in making investigation of the case with respect to the misappropriation or defalcation of a huge amounts of more than 55 crores of rupees of the general public at large, who belong to socially and economically poor section of the society by giving bluff to them in the garb of L.I.C. Policy done by the Respondents No. 30 and 31 in collusion with the Respondents L.I.C. concerned as well as the Respondents No. 29 and 32 to 48 in the facts and circumstances of the case on record.

iv) For direction to the respondents authorities concerned to restrain the



Respondents No. 29 to 48 to sell their immovable properties or movable, nami or benami till the conclusion of the instant case in this Hon'ble Court and till the final hearing of the criminal cases lodged against them or as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case on record.

- v) For direction to the respondents authorities concerned by restraining the Respondents no. 29 to 48 to withdraw any amount from their Accounts of the Banks concerned in any manner or mode either Nami or Benami and further to seize the sale deeds, pass books, cheque book, cash amounts etc. of the Respondents no. 29 to 48 and their respective family members whether the same are Nami or Benami



cash or documents in the facts and circumstances of the case on record.

vi) For direction to the respondents authorities concerned to collect the huge amounts from the respondents no. 29 to 48 and to make payment of the due maturity amounts to the investors and the Agents, who are investors as well and also to make payment of the due amounts to the Depositors as well as the Agents, whose Accounts are not matured till date and the same was running till the close of the office of the respondents no. 40 and 31 after verifying the same from the records of the respondents concerned.

vii) For direction to the respondents authorities concerned by restraining the respondents no. 29 to 48 to lodge any criminal case either FIR or complaint on



false, frivolous and concocted grounds against any of the Agents and the Depositors or investors with a view to take grudge from them under the S.C. & S.T. Act cases, rape cases etc. as counter blast against them in the facts and circumstances of the case on record.

viii) And further for grant of any other relief or reliefs for which the petitioners are entitled for in the facts, law and circumstances of the case of the petitioners on record.

Learned counsel appearing on behalf of L.I.C. states that appropriate action already stands initiated.

Learned counsel for the respondent states that an F.I.R. in relation to the alleged illegality already stands registered and is pending investigation.

In this view of the matter, we are not inclined to issue any further direction, save and except leave it to the petitioner to take recourse to such alternative efficacious remedies as are otherwise available, should the need so arise subsequently.



Also, it would be open for the petitioner to invite attention of any material, which the petitioner may possess, necessary for completing the investigation in question.

Equally, it shall be open for the petitioner to initiate action under the provisions of Cr.P.C.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	04.07.2022
Transmission Date	

