

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8559 of 2018

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Dhirendra Sharma Son of Shree Vijay Kumar Sharma, Resident of Bari Pahari
Zero Mile Patna, P.O.- Bari Pahari, P.S.- Ramkrishanagar, District- Patna.

... .. Petitioner/s

Versus

1. The Union Of India through the Principal Secretary, Ministry of Corporate affairs, Government of India, New Delhi.
2. The Secretary Ministry of Corporate Affairs, Government of India, New Delhi.
3. The Director, Central Bureau of Investigation, Govt. of India, New Delhi.
4. The State of Bihar through the Chief Secretary, Govt. of Bihar, New Secretariat Patna.
5. The Principal Secretary, Department of Industries Govt. of Bihar, Patna.
6. The Secretary, Department of Industries, Govt. of Bihar, Patna.
7. The Chairman Bihar State Electricity Board, Govt. of Bihar, Patna.
8. Kalyanpur Cements Limited through the Managing Director Shailendra Prakash Sinha, Registered office at 2 & 3, Dr. Rajendra Prasad Sarani (earlier known as 2 & 3 Clive Row) Kolkatta-700001
9. Naresh Kumar and Company Pvt. Ltd., a Company incorporated under the Companies Act, 1956, having its registered office at 5th floor, 9-B, Woods Street, Kolkata-700016.
10. Shree Divyesh Desai, Insolvency Resolution Professional, 301, Kadambari, H.N. Compound MG Road, Goregaon West, Mumbai-400062, also B2 402B Marathon Innova, Off Ganpatrao Kadam Marg, Lower Parel, Mumbai-400013.
11. Kampiliya Builders Pvt. Ltd. 24 and 26 MSNGALm Building, Ground Floor, Hemant Basu Sarani, Kolkata, WB 700001, Bihar Office Maurya Centre-1, Fraser Road, Patna-1
12. Dalmia Cement Bharat Limited through his managing Director Mr. Jai Hari Dalmia, 11th and 12th floors, Hansalya Building, IS, Barakhamba Road, New Delhi-110001 Also the Registered office at Dalmiyapuram, Distt. Tiruchirapalli, Tamilnadu-621651.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinesh Kr. Sharma, Advocate
For the Respondent/s	:	Mr.S.P.Singh -GA 3
For C.B.I.	:	Ms. Nivedita Nirvikar, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 08-08-2022 The present writ petition has been filed seeking the



following reliefs :-

“I) For initiation of a high level enquiry preferably by the CBI to go through the entire misdeeds, omission and commission of the respondents no. 8 to 12 Corporate debtor namely Kalyanpur Cements Pvt. Ltd. Operational creditors cum the applicant in CP no. 168 of 2017 (Naresh Kumar), Resolution Professionaly namely Divyesh Desai, Resolution applicant, one of the financial creditor namely Kampiliya Builders Pvt. Ltd. And other shell companies of the corporate debtor respondent no. 8.

II) For direction to the state respondents not to wave/ forgive/ assumpt any due amount in respect of the corporate debtor namely Kalyanpur Cements ltd., liabilities towards the government dues as well as also to prohibit them for giving any benefit under the rehabilitation plan for upliftment of the industrial growth of the State.

III) For declaring the action of the respondents as illegal and not sustainable in the eyes of law.”

After some arguments, the learned counsel for the petitioner seeks to withdraw the present petition with liberty to the petitioner to avail such other remedies as are available under the law.



Liberty so sought, is granted.

Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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