

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7671 of 2018

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Dinesh Kumar Sharma Son of Late Manki Sharma, Resident of Ajad Lane,
Chaudhari Tola, P.O.- Mahendru P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
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, Kolkata-700001, West Bengal, Bihar Office-Maurya Centre-1, Fraser road, Patna-1
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, Kolkatta-700016
10. Shree Divyesh Desi, Insolvency Resolution Professional, 301, Kadambar, 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, Hasnsalya Building, IS, Barakhamba road, New Delhi-110001 Also the registered office at Dalmiyapuram, Dist- Tiruchirapalli, Tamilnadu-621651

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vitesh Kumar Singh, Advocate
For the Respondent/s	:	Mr.Kinkar Kumar -SC 9
	:	Mr. Kumar Priya Ranjan, Advocate
	:	Mr. Vibhuti Kumar, Advocate
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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