

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.351 of 2020

Vijay Prasad, S/o Late Kamta Prasad, resident of village- Ghoghi Bariyarpur, P.S. Piri Bazar, District- Lakhisarai, the Chairman-cum-Managing Director (C.M.D.), of M/s I.D.I.O. Construction and Industries (India) Limited, having its office at present 105/B, Aditya Vikas Appartment, Talpatra Lane, Budh Marg (Near Ashok Cinema), Patna- 800001.

... .. Petitioner/s

Versus

1. The Union of India through the Principal Secretary, Ministry of Company Affairs, New Delhi- 110001.
2. The Director, Ministry of Company Affairs, Govt. of India, New Delhi- 110001.
3. The Registrar of Companies, Bihar and Jharkhand having its office at Maurya Lok Complex, 4th Floor, A, Block, Dak Banglow Road, Patna- 800001.
4. The Chief Secretary, Govt. of Bihar, Patna- 800001.
5. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.- 800001.
6. The Principal Secretary, Vigilance Department, Govt. of Bihar, Patna- 800001.
7. The Director General of Police, Bihar, Patna.
8. The Deputy Inspector General of Police, Central Region, Patna.
9. The District Magistrate-cum-Collector, Patna.
10. The Senior Superintendent of Police, Patna.
11. The District Magistrate-cum-Collector, Lakhisarai.
12. Superintendent of Police, Lakhisarai.
13. The Officer-in-charge, Piri Bazar, Dist. Lakhisarai.
14. Manoj Kumar Chandel, S/o Sri Krishnanand Singh, residing at Krishna Nagar, P.S. Budha Colony, District- Patna, the then Director and son of so called Board of Renu Singh of M/s IDIO Construction and Industries, India Limited, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate

For the Respondent/s : Md. Nadim Seraj, GP-5
Mr. Shailesh Kumar, AC to GP-5

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 31-08-2022

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

- i) For a direction/order to the competent independent agency in company matter to make an enquiry/ investigation in respect of Public Limited company M/s IDIO construction and Industries(India) Limited, Patna where under at a time Manoj Kumar Chaudhary, shown as Managing Director of so called Board of Renu Singh, Awadhesh Kumar is also shown as Managing Director of Board of Renu Singh and Renu Singh shown herself as Managing Director before the Hon'ble High Court without E.G.M. or A.G.M. since 2015 on the support from back by Krishnanand Singh and Vijay Prasad who has been duly elected as Chairman cum-Managing Director of company as per Extra Ordinary General meeting held dated 28.9.2004 and filing of the said cases.



- ii. For a direction/order to the respondent authorities to ensure that only and only Vijay Prasad (Petitioner) is now existing as Managing Director of the aforesaid company M/s IDIO Construction(in short) since the date of extra ordinary General Meeting held dated 28.9.2004 and their confirmation held in January 2005 the petitioner filed the papers of E.G.M.i.e. Form 18,Form 23 and Form 32 before the Registrar by Companies Bihar and Jharkhand Maurya Lok, Patna which was challenged in complaint case/ Kotwali P.S. Case no.164/2005 by private Respondent the son and the member of Board of Smt.Renu Singh and the vigilance has filed final report in ~~2011~~ the year making the allegation false informed to this Hon'ble Court by the Vigilance but the complainant/ informant choosen way to filed protest cum complaint petition in year 2011 in and since 2011 to 2019 no evidence has been adduced on repeated directions of the court below concern.
- iii. For direction/order to the Respondents to pay handsome amount for harassment to the petitioner with interest since the



petitioner has been harassed^{ing} since long.

- iv. For the other relief/reliefs as your lordships may deem fit and proper in the interest of justice to the petitioner.

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority, venting out the grievances, subject-matter of the present petition.

Permission granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present application is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of six months from the date of its presentation.

While considering such request, the period for which the petitioner has been pursuing the present petition shall not be



counted for the purposes of limitation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	01.09.2022
Transmission Date	

