

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**COMPANY APPEAL(DB) No.7 of 2022**  
**In**  
**COMPANY PETITION No.3 of 1984**

1. Sanjay Singh @ Sanjay Kumar Son of Triveni Singh Resident of Quarter No.- SOF- 31, Dalmia Nagar, Police Station- Dehri, District- Rohtas.
2. Radha Govind Singh, Son of Late Kameshwar Singh Resident of Quarter No.- K-16, Dalmia Nagar, Police Station- Dehri, District- Rohtas.
3. Chandra Shekhar Singh, Son of Late Raghunath Singh Resident of Quarter No.- K-15, Dalmia Nagar, Police Station- Dehri, District- Rohtas.
4. Nirmal Kumar, Son of Late Sarju Prasad Resident of Quarter No.- J-13, Dalmia Nagar, Police Station- Dehri, District- Rohtas.
5. Vijay Singh, Son of Late Nagina Singh Resident of Quarter No.- C-09, Dalmia Nagar, Police Station- Dehri, District- Rohtas.
6. Hridya Prakash Gupta, Son of Laxman Prasad Gupta Resident of Quarter No.- S-185, Dalmia Nagar, Police Station- Dehri, District- Rohtas.
7. Anand Pratik, Son of Late P.K. Jha Resident of Quarter No.- S.O.B.- 12, Dalmia Nagar, Police Station- Dehri, District- Rohtas.

... .. Appellant/s

Versus

1. The Rohtas Industries Limited (In liquidation) through Official Liquidator, Rohtas Industries Limited (In Liquidation) Dalmia Nagar, Police Station- Dehri, District- Rohtas.
2. The State of Bihar, through District Magistrate, Rohtas at Sasaram.

... .. Respondent/s

**Appearance :**

|                               |   |                                                                                                  |
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| For the Appellant/s           | : | Mr. Jitendra Prasad Singh, Advocate<br>Ms. Supriya Sinha, Advocate<br>Mr. Rajeev Kumar, Advocate |
| For the State                 | : | Mr. Ajit Kr. GA 9<br>Mr. Manoj Kr. Sinha, AC to GA 9                                             |
| For the Official Liquidator : |   | Mr. Gautam Kejriwal, Advocate<br>Mr. Alok Kr. Jha, Advocate<br>Mr. Mukund Kr. Advocate           |

**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**and**

**HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)**

9      18-10-2023      The present Company Appeal is preferred by *Sanjay Singh* and Ors. Among them *Sanjay Singh @ Sanjay Kumar* – appellant No. 1 is stated to be grand son of ex-employee of Rohtas Industries Limited (In Liquidation). Similarly appellant



No. 6 – *Hridya Prakash Gupta* is stated to be a son of ex-employee of Rohtas Industries Limited (In Liquidation).

2. Learned counsel for the appellants furnished order of the Apex Court dated 29.08.2023 passed in Special Leave to Appeal (C) No. (s) 18803 of 2023 in the case of *Ex-Worker of Rohtas Industries Ltd. vs. Rohtas Industries Ltd. (In Liquidation)*. The present case is not comparable with the ex-worker of Rohtas Industries Limited (In Liquidation). On the other hand, first appellant is grand son of ex-employee. Similarly, sixth appellant is son of ex-employee. They form a separate class of person. Therefore, the concerned official liquidator is hereby directed to not to precipitate the matter, insofar as sixth appellant – *Hridya Prakash Gupta* who is immediate legal heir of ex-employee. On the other hand, *Sanjay Singh alias Sanjay Kumar*, first appellant is concerned, he is grand son of ex-employee who apparently may not be entitled to relief at par with the Apex Court decision.

3. In respect of appellant Nos. 2, 3, 4, 5 and 7 are concerned, they are strangers and occupying the residential quarters of the Rohtas Industries Limited (In Liquidation), they have not apprised this Court about any statutory right vested with each of the appellants to contend that they are entitled to



occupy the residential quarters which have been illegally occupied by them. May be such occupation is in collusion with the officials of the Rohtas Industries Limited (In Liquidation). In other words, there is no statutory scheme which provides to occupy residential quarters of Rohtas Industries Limited (in Liquidation) by a general public like appellant Nos. 2, 3, 4, 5 and 7. Further there is no relationship of master and servant. Therefore, their appeals stands dismissed. Consequently the present Company Appeal (DB) No. 7 of 2022 stands disposed of.

4. In the meanwhile, official liquidator is hereby directed to verify the relevant documents of the appellant Nos. 1 and 6. If they have some substance in their claim, in that event their cases shall be deferred until disposal of the Apex Court's case.

5. Official liquidator and the concerned State officials are hereby directed to co-operate each other in the matter insofar as execution of auction proceedings and in accordance with law.

**(P. B. Bajanthri, J)**

**( Arun Kumar Jha, J)**

GAURAV S./-

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