

File no. – 165

OBJECTIONS BY 1. Sh. Babu Lal S/O Devi Singh, R/O Village Khoyriya, Tehsil Nal Khera

2. Sh. Rajender Prasad S/O Babu Lal R/O Dawatpur, Anandikheri, Tehsil Nal Khera

3. Sh. Jai Narayan S/O Babu Lal R/O Dawatpur, Anandikheri, Tehsil Nal Khera

4. Sh. Babu Lal S/O Shri Ram Yadav R/O Village Tola Kheri, Tehsil Agar

Present: Sh. Babu Lal S/O Devi Singh, R/O Nal Khera with Sh. Murlidhar Patidar MLA.
Susner (S. No. 165)

ORDER:

1. Vide order dated 12/02/2016, passed in civil appeal no. 13301/2015 bearing the title Subarata Bhattacharaya Versus Securities & Exchange Board Of India, the Hon'ble supreme court had directed constitution of a committee by SEBI to be headed by Hon'ble Mr. Justice are R.M. Lodha. former Chief Justice of India as it Chairman for disposing of the land purchased by PACL so that the sale proceeds recovered there from can be paid to the investors who have invested their funds in the company for purchase of the land. The said committee was asked to collect relevant record including title sale deeds from the CBI (Central Bureau of Investigation) if it is in possession of any documents.
2. Subsequent thereto, the committee thus constituted directed attachment of the properties of PACL on the basis of documents received which included sale deed nos. 3205/14 of Babu Lal S/O Devi Singh; sale deed No. 3681/14 of Babulal Yadav S/O Shri Ram; sale deed No. 3200/14 of Rajender Prasad S/O Babulal and sale deed No. 2240/13 of Jain Narayan S/O Babulal which had been taken into possession by the CBI (Central Bureau Investigation) vide Malkhana Register (MR) nos. 2621/15; ; 2622/15; 28656/16 and 27488/16 respectively.
3. The attachment of various properties situated all over the country included properties of several persons in Tehsils Agar, Nal Khera and Susner of Distt. Agar - Malva (Madhya Pradesh) where from several farmers of the said Distt., sent objections against attachment of their lands.
4. A letter bearing S.No. reader/2017/453 dated 12/06/2017 was also received from the Distt. Collector cum Distt Magistrate Agar – Malwa, Madhya Pradesh wherein it was mentioned that in pursuance of order dated 25/07/2016 passes by this committee, stay of transfer had been affected in respect as many 73 properties as desired by the committee but which had led to law and order problem in the area and enquiry needs to be got conducted as regards genuineness or otherwise of purported transfer of the properties of such persons to the PACL.
5. In pursuance of the said letter dated 12/06/2017 of Distt. Collector of Agar, a letter no. JRMLC/PACL/No/1926/2017 dated 12/07/2017 and JPMLC/PACL/No/2130/2017 dated

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16/08/2017 were sent by the Nodal Officer of the committee to the Distt Collector, Agar – Malwa, Madhya Pradesh to share the report of the committee constituted for looking into the matter.

6. During enquiry thus conducted by the revenue authorities of Distt. Agar – Malwa (M.P.) it was found that out of total of 4040 sale deeds purportedly executed by different persons, 2193 were infact not found to be registered at all whereas out of 1827 though registered, some were found to be bogus in respect of three different Tehsils viz Agar, Nal Khera and Susner of Distt. Agar – Malwa as detailed hereunder

Tehsil Agar:

Unregistered	Registered	Total
471	95	566

Tehsil Nal Khera:

Unregistered	Registered	Total
1558	495	2053

Tehsil Susner:

Unregistered	Registered	Total
164	1237	1421


7. As per the list of 73 cases (actually 76 as downloaded from www.auctionpacl.com) properties regarding which restraint orders have been issued by the committee to the revenue authorities of Distt. Agar - Malwa, the objector Babulal S/O Devi Singh, R/O Village Khoyriya, Tehsil Nal Khera, Distt. Agar (**MR NO. 2621-15**) had statedly executed eleven sale deeds dated 16/01/2014 in favour of DOMITIAN HOME DEVELOPERS PVT. LTD. but which purported sale deeds during above referred enquiry conducted by the collector Agar has been found to be bogus in as much as they are not registered as so mentioned at S. No 453 to 463 (pertaining to tehsil Agar) of his above quoted letter No. 123/Revenue Record/PACL/2017 dated 26/08/2017. No valid title was thus passed on through the above named objector in favour of above named vendor.
8. Similarly, the objector Rajender Prasad S/O Babu LaL R/O Dawatpur, Anandikheri, Tehsil Nal Khera (**MR NO. 2622/15**) who had statedly executed sale deed of his properties in favour DOMITIAN HOME DEVELOPERS PVT. LTD. but the said eight sale deeds have been found to be bogus in as much as they are not found to be duly registered as per entries at S.No. 441 to 451 (pertaining to tehsil Nal Khera, Distt. Agar) as so mentioned at S. No 259 to 266 (pertaining to tehsil Agar) of his above quoted letter No. 123/Revenue Record/PACL/2017

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dated 26/08/2017. No valid title was thus passed on through the above named objector in favour of above named vendor.

9. Even the objector Jai Narayan S/O Babu Lal R/O Dawatpur, Anandikheri, Tehsil Nal Khera (**MR NO. 28656/16**) who had statedly executed thirteen sale deeds of his properties in favour of GAD UNIQUE PROMOTERS PVT. LTD. are also not found to be registered as per entries at S.No. 198 to 210 (pertaining to tehsil Nal Khera, Distt. Agar) of letter no. 123/Revenue Record/PACL/2017 dated 26/08/2017 of the Distt. Collectors Agar – Malwa, Madhya Pradesh. No valid title was thus passed on through the above named objector in favour of above named vendor.
10. Another objector also named Babu Lal but S/O Shri Ram Yadav R/O Village Tola Kheri, Tehsil Agar (**MR NO. 27488-16**) who had statedly eight sale deeds dated 07/02/2014 in favour of SPANDREL BUILDCON PVT LTD. but no such sale deeds were found registered as per entries at S.No. 259 to 266 (pertaining to Tehsil Agar) as so mentioned in letter no. 123/Revenue Record/PACL/2017 dated 26/08/2017 of the Distt. Collectors Agar – Malwa, Madhya Pradesh. No valid title was thus passed on through the above named objector in favour of above named vendor.
11. In view of the foregoing discussion, the attachment of the properties of the above named objectors is liable to be withdrawn.

Date : 26/12/2017


R. S. Virk
Distt. Judge (RETD.)