

**Before Shri R.S. Virk, District Judge (RETD.)**  
**appointed to hear objections/representations in the matter of PACL Ltd.**  
**as referred to in the order dated 15/11/2017, of the Hon'ble Supreme Court**  
**passed in civil appeal no. 13301/2015 titled Subrata Bhattacharya vs SEBI**  
**and duly notified in SEBI Press release no. 66 dated 08/12/2017.**

File No. 396

MR NO. 3732/15

**Objector:** Sh. Baldev Singh S/o Sh. Gopalji

**Present:** C.M. Rawtiya, Advocate

**Order:**

1. It may be noticed at the outset that vide order dated 02/02/2016, passed in civil appeal no. 13301/2015 bearing the title SubarataBhattacharaya 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 R.M. Lodha. former Chief Justice of India as its 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. The objector above named has averred that the land detailed in para 1 of the objection petition measuring 7.520 hectares situated at villageRojadi, Tehsil Nalkheda, Distt. Agar-Malwa which stands attached under orders of the committee as depicted against entries in **MR NO. 3732-15**(which MR No has been given by the CBI during the course of investigation) has been fraudulently got transferred in favour of M/S Singh & Singh Realtors Pvt Ltd, acting through Sukhmohinder Singh s/o Babu Singh r/o Distt. FatehGarh (Punjab) for alleged sale consideration of Rs. 26,36,000/- (Twenty six lakhs thirty six thousand) vide purported registry no. 5271/13 dated 27/03/2013 statedly executed by him though not so executed and even the sub-registrar Shajapur (M.P.) (where this deed was statedly registered) has reported as per his endorsement dated 22/06/2017 on his application original application seeking copy of such purported registered deed dated 06/03/2013 - 27/03/2013 that no such deed infact stands registered in the record of their office. The photocopy of the purported sale deed dated 06/03/2013 has been produced on record but page 1 thereof does not exist on the record and the sale deed starts from page 2 (para 3 onwards up to para 12). The photocopy of the letter dated 20/06/2017 addressed by the objector Baldev Singh to the Tehsildar, Nal Khera however mentions 7.53 hectare of his land having been statedly transferred unauthorisely in favour of Planet Unique Promoters Pvt Ltd, Jaipur, but it needs to be highlighted that the notarised affidavit mentions fraudulent transfer of his land in favour of M/S Singh & Singh Realtors Pvt Ltd. It may be

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may be pointed out at this stage that the entries at Sr. Nos. 1196 to 1204 of the list of unregistered sale deeds pertaining to Tehsil Nal Khera appended to the letter no. **123/PACL/2017** dated 26/08/2017, of the collector, Agar-Malwa in response to letter no. **JRMC/525/5016** dated 07/09/2016 of the Nodal Officer Cum Secretary to Justice R. M. Lodha Committee, New Delhi, indicate that such purported sale deeds have not in fact been registered. The said entries relate to the land of the objector herein.

3. It needs to be pointed out at this stage that 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.
4. 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 JRMLC/PACL/No/2130/2017 dated 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.
5. The Distt. Collector of Agar-Malwa vide his letter dated 26/08/2017 addressed to to nodal officer cum secretary of Justice (Retd.) R. M. Lodha Committee in PACL Matters has reported that 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, NalKhera and Susner of Distt. Agar – Malwa as detailed hereunder:-

**Tehsil Agar:**

Unregistered	Registered	Total
471	95	566

**Tehsil NalKhera:**

Unregistered	Registered	Total
1558	495	2053


**Tehsil Susner:**

Unregistered	Registered	Total
184	1237	1421

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6. Even a perusal of the certified copy of “*kishtbandikhautoni*” for the years 2011-2012 to 2016-2017 pertaining to village Rojadi, Distt. Agar reveals the above named objector to be the owner in possession of the land forming the subject matter of the objection petition in hand.
7. In view of such large scale bungling in districts Agar & Shahjapur (M.P.) the above mentioned report of the sub-registrar Shahjapur that purported registry no. 5271/13 dated 27/03/2013 does not in fact find registered at all in his office is conclusive of the fact that the aforesaid registry no. 5271/13 dated 27/03/2013 is a fictitious document and consequently the land of the objectors as detailed in para 1 on this objection petition above cannot be considered to have ever been acquired by PACL or its Subsidiaries/Associates. Resultantly, the said land is liable to be removed from the list of properties of PACL and its subsidiaries / associates attached under orders of the committee for sale. The petition is accordingly is accepted.


**Date: 06/03/2018**

  
**R.S. Virk**  
**Distt. Judge (Retd.)**

**Note:**

Two copies of this order are being signed simultaneously, one of which shall be retained on this file whereas the other one, also duly signed, shall be delivered to the objector as and when requested/applied for.

**Date: 06/03/2018**

  
**R.S. Virk**  
**Distt. Judge (Retd.)**