

**Before Shri R.S. Virk, District Judge (Retd.)
In the matter of PACL Ltd.**

File no. 631

- Applicants :**
- (i) Shri Mahesh Kumar s/o Dhaju Ram, Delhi
(Registration No. U032166616 dated 28-02-2009);
 - (ii) Shri Ram Daras s/o Lallu, Delhi
(Registration No. U032406665 dated 11-01-2012)
(Registration No. U032406667 dated 11-01-2012);
 - (iii) Smt. Kamlesh w/o Puran Chand, Delhi
(Registration No. U032298420 dated 29-09-2010);
 - (iv) Smt. Tara w/o Moti Lal, Delhi
(Registration No. U032468457 dated 10-04-2013);
 - (v) Shri Raju s/o Garua, Delhi
(Registration No. U032478423 dated 19-08-2013)
(Registration No. U032478424 dated 19-08-2013);
 - (vi) Smt Hemlata w/o Deepak, Delhi
(Registration No. U032307855 dated 11-11-2010);
 - (vii) Smt. Bindu w/o Anil, Delhi
(Registration No. U032453676 dated 06-12-2012);
 - (viii) Ms. Seema d/o Balram, Delhi
(Registration No. U032122575 dated 11-06-2008);
 - (ix) Smt. Bhawani Devi w/o Bal Kishan, Delhi
(Registration No. U032422055 dated 05-04-2012);
 - (x) Smt. Sumitra w/o Prem Chand, Delhi
(Registration No. U032398859 dated 28-11-2011)
(Registration No. U032396526 dated 14-11-2011);
 - (xi) Smt. Sarita w/o Late Gopal, Delhi
(Registration No. U032445831 dated 18-09-2012);
 - (xii) Smt. Veena w/o Krishan Kumar, Delhi
(Registration No. U032283575 dated 30-07-2010)
(Registration No. U032302545 dated 18-10-2010);
 - (xiii) Smt. Kesar w/o Dhirender, Delhi
(Registration No. U032298416 dated 29-09-2010);
 - (xiv) Smt. Sapna w/o Hari Om, Delhi
(Registration No. U032465245 dated 12-03-2013);
 - (xv) Shri Ram Janam s/o Lalta Prasad, Delhi
(Registration No. U032484728 dated 07-11-2013)
(Registration No. U032484727 dated 07-11-2013);
 - (xvi) Shri Nathu Ram s/o Mange Ram, Delhi
(Registration No. U032344114 dated 28-02-2011);
 - (xvii) Shri Hari Ram s/o Nathu Ram, Delhi
(Registration No. U032343532 dated 26-02-2011);

- (xviii) Mohammad Javed s/o Akhattar, Delhi
(Registration No. U032425690 dated 28-04-2012);
(xix) Shri Firtu Ram s/o Rambahal, Delhi
(Registration No. U032200751 dated 24-08-2009);
(xx) Shri Rampal s/o Ram Baksh, Delhi
(Registration No. U032181072 dated 30-04-2009);

Present : None

Order :

1. (a) It may be noticed at the outset that vide order dated 02/02/2016, 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 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.

(b) Subsequent thereto, I have been appointed by the said committee to hear objections/representations against attachments of various properties in the matter of PACL Ltd as so mentioned in the order dated 15/11/2017 (to be read with orders dated 13/04/2018, 02/07/2018 and 07/12/2018) of the Hon'ble Supreme Court in civil appeal no. 13301/2015 Subrata Bhattacharya Vs SEBI, and notified in SEBI Press release no. 66 dated 08/12/2017.
2. This common order will dispose off the twenty applications of all persons named above who are seeking recovery of the amounts statedly invested by them with PACL as detailed in their respective applications.
3. The applicant Shri Mahesh Kumar s/o Dhaju Ram seeks refund of Rs.10,000/- with the averment that he had invested the said amount with PACL India Ltd on 28/02/2009 as per registration certificate no. U032166616 dated 28/02/2009 for allotment of 200Sq. Yd. plot. It is contended that the said agreement has matured on 28/02/2019 but he has not heard anything further from PACL.
4. (a) The applicant Shri Ram Daras s/o Lallu seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India Ltd on 11/01/2012 as per registration certificate no. U032406665 dated 11/01/2012 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 11/01/2022 but he has not heard anything further from PACL.

(b) The applicant Shri Ram Daras s/o Lallu further seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India Ltd on 11/01/2012 as per registration certificate no. U032406667 dated 11/01/2012 for allotment of 300Sq.

Yd. plot. It is contended that the said agreement has matured on 11/01/2022 but he has not heard anything further from PACL.

5. The applicant Smt. Kamlesh w/o Puran Chand seeks refund of Rs.15,000/- with the averment that she had invested the said amount with PACL India Ltd on 29/09/2010 as per registration certificate no. U032298420 dated 29/09/2010 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 29/09/2016 but she has not heard anything further from PACL.
6. The applicant Smt. Tara w/o Moti Lal seeks refund of Rs.30,000/- with the averment that she had invested the said amount with PACL India Ltd on 10/04/2013 as per registration certificate no. U032468457 dated 10/04/2013 for allotment of 600Sq. Yd. plot. It is contended that the said agreement has matured on 10/04/2019 but she has not heard anything further from PACL.
7. (a) The applicant Shri Raju s/o Garua seeks refund of Rs.10,000/- with the averment that he had invested the said amount with PACL India Ltd on 19/08/2013 as per registration certificate no. U032478423 dated 19/08/2013 for allotment of 200Sq. Yd. plot. It is contended that the said agreement has matured on 19/08/2023 but he has not heard anything further from PACL.

(b) The applicant Shri Raju s/o Garua further seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India Ltd on 19/08/2013 as per registration certificate no. U032478424 dated 19/08/2013 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 19/08/2023 but he has not heard anything further from PACL.
8. The applicant Smt. Hemlata w/o Deepak seeks refund of Rs.7,500/- with the averment that she had invested the said amount with PACL India Ltd on 11/11/2010 as per registration certificate no. U032307855 dated 11/11/2010 for allotment of 150 Sq. Yd. plot. It is contended that the said agreement has matured on 11/02/2017 but she has not heard anything further from PACL.
9. The applicant Smt. Bindu w/o Anil seeks refund of Rs.22,500/- with the averment that she had invested the said amount with PACL India Ltd on 06/12/2012 as per registration certificate no. U032453676 dated 06/12/2012 for allotment of 450Sq. Yd. plot. It is contended that the said agreement has matured on 06/12/2018 but she has not heard anything further from PACL.
10. The applicant Ms. Seema d/o Balram seeks refund of Rs.22,500/- with the averment that she had invested the said amount with PACL India Ltd on 11/06/2008 as per registration certificate no. U032122575 dated 11/06/2008. It is contended that the said agreement has matured on 11/06/2014 but she has not heard anything further from PACL.

11. The applicant Smt. Bhawani Devi w/o Bal Kishan seeks refund of Rs.45,000/- with the averment that she had invested the said amount with PACL India Ltd on 05/04/2012 as per registration certificate no. U032422055 dated 05/04/2012 for allotment of 900Sq. Yd. plot. It is contended that the said agreement has matured on 05/04/2018 but she has not heard anything further from PACL.
12. (a) The applicant Smt. Sumitra w/o Prem Chand seeks refund of Rs.15,000/- with the averment that she had invested the said amount with PACL India Ltd on 28/11/2011 as per registration certificate no. U032398859 dated 28/11/2011 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 28/11/2017 but she has not heard anything further from PACL.
- (b) The applicant Smt. Sumitra w/o Prem Chand further seeks refund of Rs.22,500/- with the averment that she had invested the said amount with PACL India Ltd on 14/11/2011 as per registration certificate no. U032396526 dated 14/11/2011 for allotment of 450Sq. Yd. plot. It is contended that the said agreement has matured on 14/11/2017 but she has not heard anything further from PACL.
13. The applicant Smt. Sarita w/o Late Gopal seeks refund of Rs. 75,000/- with the averment that she had invested the said amount with PACL India Ltd on 18/09/2012 as per registration certificate no. U032445831 dated 18/09/2012 for allotment of 1000Sq. Yd. plot. It is contended that the said agreement has matured on 18/09/2018 but she has not heard anything further from PACL.
14. (a) The applicant Smt. Veena w/o Krishan Kumar seeks refund of Rs.7,500/- with the averment that she had invested the said amount with PACL India Ltd on 30/07/2010 as per registration certificate no. U032283575 dated 30/07/2010 for allotment of 150Sq. Yd. plot. It is contended that the said agreement has matured on 30/07/2020 but she has not heard anything further from PACL.
- (b) The applicant Smt. Veena w/o Krishan Kumar further seeks refund of Rs.10,000/- with the averment that she had invested the said amount with PACL India Ltd on 18/10/2010 as per registration certificate no. U032302545 dated 18/10/2010 for allotment of 200Sq. Yd. plot. It is contended that the said agreement has matured on 18/10/2017 but she has not heard anything further from PACL.
15. The applicant Smt. Kesar w/o Dhirender seeks refund of Rs.15,000/- with the averment that she had invested the said amount with PACL India Ltd on 29/09/2010 as per registration certificate no. U032298416 dated 29/09/2010 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 29/09/2016 but she has not heard anything further from PACL.

16. The applicant Smt. Sapna w/o Hari Om seeks refund of Rs.75,000/- with the averment that she had invested the said amount with PACL India Ltd on 12/03/2013 as per registration certificate no. U032465245 dated 12/03/2013 for allotment of 1000Sq. Yd. plot. It is contended that the said agreement has matured on 12/03/2019 but she has not heard anything further from PACL.
17. (a) The applicant Shri Ram Janam s/o Lalta Prasad seeks refund of Rs.50,000/- with the averment that he had invested the said amount with PACL India Ltd on 07/11/2013 as per registration certificate no. U032484728 dated 07/11/2013 for allotment of 500Sq. Yd. plot. It is contended that the said agreement has matured on 07/11/2019 but he has not heard anything further from PACL.
- (b) The applicant Shri Ram Janam s/o Lalta Prasad further seeks refund of Rs.30,000/- with the averment that he had invested the said amount with PACL India Ltd on 07/11/2013 as per registration certificate no. U032484727 dated 07/11/2013 for allotment of 600Sq. Yd. plot. It is contended that the said agreement has matured on 07/11/2023 but he has not heard anything further from PACL.
18. The applicant Shri Nathu Ram s/o Mange Ram seeks refund of Rs.7,500/- with the averment that he had invested the said amount with PACL India Ltd on 28/02/2011 as per registration certificate no. U032344114 dated 28/02/2011 for allotment of 150Sq. Yd. plot. It is contended that the said agreement has matured on 28/02/2018 but he has not heard anything further from PACL.
19. The applicant Shri Hari Ram s/o Nathu Ram seeks refund of Rs.40,000/- with the averment that he had invested the said amount with PACL India Ltd on 26/02/2011 as per registration certificate no. U032343532 dated 26/02/2011 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 26/02/2018 but he has not heard anything further from PACL.
20. The applicant Mohammad Javed s/o Akhattar seeks refund of Rs.37,500/- with the averment that he had invested the said amount with PACL India Ltd on 28/04/2012 as per registration certificate no. U032425690 dated 28/04/2012 for allotment of 750Sq. Yd. plot. It is contended that the said agreement has matured on 28/04/2018 but he has not heard anything further from PACL.
21. The applicant Shri Firtu Ram s/o Rambahal seeks refund of Rs.45,000/- with the averment that he had invested the said amount with PACL India Ltd on 24/08/2009 as per registration certificate no. U032200751 dated 24/08/2009 for allotment of 900Sq. Yd. plot. It is contended that the said agreement has matured on 24/11/2015 but he has not heard anything further from PACL.

22. The applicant Shri Ram Pal s/o Ram Baksh seeks refund of Rs.30,000/- with the averment that he had invested the said amount with PACL India Ltd on 05/05/2009 as per registration certificate no. U032181072 dated 30/04/2009 for allotment of 600Sq. Yd. plot. It is contended that the said agreement has matured on 30/04/2019 but he has not heard anything further from PACL.

23.(a) The applicants above named are seeking recovery of the amounts indicated in the foregoing paras but prayer for refund of money statedly invested by them with PACL cannot be dealt with by me because my mandate is confined to dealing with objections/representations received by the Committee 'against' attachment of properties detailed in www.auctionpacl.com, which aspect is duly 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 also duly notified in SEBI Press release no. 66 dated 08/12/2017 for the guidance of investors.

(b) No notice is thus required to be issued to any of the above named persons and the applications detailed above seeking refund of the amounts claimed therein cannot be entertained by me and are accordingly rejected.

Date : 25/02/2019


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