

BEFORE THE PANEL OF RECOVERY OFFICERS APPOINTED UNDER SECTION 28A OF THE SEBI ACT, 1992 DISCHARGING FUNCTIONS IN TERMS OF THE ORDERS OF THE HON'BLE SUPREME COURT DATED 08.08.2024 AND 19.02.2026 IN C.A. No. 13301 OF 2015 IN THE MATTER OF PACL LTD.

Interlocutory Application Nos.	158550 and 158553 of 2024
File No.	SEBI/PACL/IA/KW/00741/2026
Name of the Objector/Applicant	Shri Narendra Singh Thakur
MR No.	Not available

Background:

1. The Securities and Exchange Board of India (hereinafter referred to as "SEBI") on 22.08.2014 passed an order against Pearls Agrotech Corporation Limited (hereinafter referred to as "PACL Ltd."), its promoters and directors, *inter alia* holding the schemes run by PACL Ltd. as Collective Investment Scheme (CIS) and directing them to refund the amounts collected from the investors within three months from the date of the order. By the said order, it was also directed that PACL Ltd. and its promoters/directors, shall not alienate or dispose of or sell any of the assets of PACL Ltd. except for the purpose of making refunds as directed in the order.
2. The aforesaid order was challenged by PACL Ltd. and its directors by filing appeals before the Hon'ble Securities Appellate Tribunal (hereinafter referred to as "SAT"). Vide its order dated 12.08.2015, the said appeals were dismissed by Hon'ble SAT, with a direction to the appellants to refund the amounts collected from the investors within three months. Aggrieved by the aforesaid order dated 12.08.2015, PACL



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Ltd. and its directors filed appeals before the Hon'ble Supreme Court of India in Civil Appeal No. 13301 of 2015 — Subrata Bhattacharya Vs. SEBI and other connected matters.

3. The Hon'ble Supreme Court did not grant any stay on the aforesaid impugned order dated 12.08.2015 of Hon'ble SAT, however, PACL Ltd. and its promoters/directors did not refund the money to its investors. Accordingly, SEBI initiated recovery proceedings under Section 28A of SEBI Act, 1992 against PACL Ltd. and its promoters/directors vide Recovery Certificate no. 832 of 2015 dated 11.12.2015 and as a consequence thereof, all bank/demat accounts and folios of mutual funds of PACL Ltd. and its promoters/directors were attached by the Recovery Officer vide attachment order dated 11.12.2015.
4. During the course of hearing on the aforesaid civil appeals filed by PACL Ltd. and its directors (i.e. Civil Appeal No. 13301 of 2015 — Subrata Bhattacharya Vs. SEBI and other connected matters), the Hon'ble Supreme Court vide its order dated 02.02.2016, directed SEBI to constitute a Committee under the Chairmanship of Hon'ble Justice R.M. Lodha, the former Chief Justice of India, (hereinafter referred to as "the Committee"), for disposing of the land purchased by PACL Ltd. so that the sale proceeds can be paid to the investors, who have invested their funds in PACL Ltd. for purchase of the land. In the said civil appeals, the Hon'ble Supreme Court did not grant any stay on the orders passed by SEBI and the Hon'ble SAT. Therefore, direction for refund and direction regarding restraint on the PACL Ltd. and its promoters and directors from disposing, alienating or selling the assets of the PACL Ltd., as given in the order continue till date.
5. The Committee has from time to time requested the authorities for registration and revenue of different States to take necessary steps and issue necessary directions to



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Land Revenue Officers and Sub-Registrar Offices, to not effect registration/mutation/sale/transfer, etc. of properties wherein PACL Ltd. and or its group or its associates have, in any manner right of interest.

6. Further, the Hon'ble Supreme Court vide its order dated 25.07.2016 restrained PACL Ltd. and/or its Directors/Promoters/agents/employees/Group and/or associate companies from in any manner selling/transferring/alienating any of the properties wherein PACL Ltd. has, in any manner, a right/interest situated either within or outside India.
7. In the recovery proceedings mentioned at para 3 above, the Recovery Officer issued an attachment order dated 07.09.2016, against 640 associate companies of PACL Ltd. In the said order, inter alia, the registration authorities of all States and Union Territories were requested not to act upon any document purporting to be dealing with transfer of properties by PACL Ltd. and/or the group/associate entities of PACL Ltd. mentioned in the Annexure to the said attachment order, if presented for registration.
8. The Hon'ble Supreme Court vide its order dated 15.11.2017 passed in C. A. No.13301/2015 and connected matters directed that all the grievances/objections pertaining to properties of PACL Ltd. would be taken up by Shri R. S. Virk, District Judge (Retired).
9. On 30.04.2019, in the recovery proceedings initiated against PACL Ltd. & Ors., the Recovery Officer issued a notice of attachment in respect of 25 front companies of PACL Ltd. Thereafter, on 01.03.2021, the Recovery Officer issued another notice of attachment in respect of 32 associate companies of PACL Ltd., which included 25 front companies of PACL Ltd. whose accounts were attached vide order dated 30.04.2019.



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10. The Hon'ble Supreme Court vide order dated 08.08.2024, in Civil Appeal No. 13301 of 2015 — Subrata Bhattacharya Vs. SEBI and other connected matters, has directed as under:

" 10. Since, we had directed in our order dated 25.07.2024, that no fresh applications or objections shall be filed before or entertained by Shri R.S. Virk, District Judge (Retd.) and that the same shall be filed before the Committee, the Committee may deal with such applications/objections, if filed before it, and dispose them of as per the provisions contained under Section-28(A) of the SEBI Act....."

11. In compliance with aforesaid order dated 08.08.2024, passed by the Hon'ble Supreme Court, all objections with respect to properties of PACL Ltd. which were pending before Shri R. S. Virk, District Judge (Retired) and all new objections, are now to be dealt by the Recovery Officers attached to the Committee.
12. Subsequently, the Hon'ble Supreme Court passed an order dated 19.02.2026 in the matter of Subrata Bhattacharya vs. SEBI (Civil Appeal No. 13301 of 2015) directing, inter alia, that all Interlocutory Applications/Transferred Case falling under Category B, i.e. 106 sets of applications including the instant application, challenging the recommendations of Shri R.S. Virk, District Judge (Retd.), be placed before the Recovery Officers appointed under Section 28A of the SEBI Act, 1992. Accordingly, all such applications, including the instant application, are now to be dealt by the Panel of Recovery Officers appointed under Section 28A of the SEBI Act, 1992 for discharging functions in terms of the Orders of the Hon'ble Supreme Court dated 08.08.2024 and 19.02.2026 in C.A. No. 13301 of 2015 in the matter of PACL Ltd.



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Proceedings before Shri R. S. Virk, District Judge (Retd.)

13. The Applicant, Shri Narendra Singh Thakur (hereinafter referred to as "Applicant") had filed an Objection petition (file no. 1141) before Shri R. S. Virk, District Judge (Retd.) inter alia seeking clarification regarding PACL matter. The Applicant inter alia has averred that he is the owner and in possession of land comprised in Khasra no. 687 (0.40 hectares) and 690/2 (1.82 hectares), total admeasuring 2.22 hectares situated at Village Marbodi, Bandol Tehsil, District Seoni, Madhya Pradesh (hereinafter referred to as 'impugned properties'). The impugned properties are recorded in the revenue records in the name of the Applicant. The Applicant has been in uninterrupted possession of the impugned properties and has been doing cultivation regularly. He further submitted that as per the land record - Khasara of the impugned properties for the year 2022-23, a remark is mentioned in column 12 as 'the land has been sold'. He further submitted that the revenue record makes no mention as to when, why and under whose orders this remark has been recorded in column 12 which needs to be removed as he is unable to utilise the said impugned properties in his individual right. He further stated that if the impugned properties has any connection with PACL, details of the same be furnished or else the remarks in the column 12 of the revenue record be deleted.
14. Upon notice of the said petition having been issued to PACL, PACL vide response dated 24.04.2023 inter alia stated that since the Objector has not provided the details of MR, it requested Shri R. S. Virk, District Judge (Retd.) to direct the Objector to provide the details of MR at which the relevant piece and parcel of land objected was seized by CBI/SEBI or dismiss the objection filed by the objector to the extend of land owned by PACL.

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15. Shri R. S. Virk, District Judge (Retd.) vide Order dated 14.06.2023 while dismissing the Objection petition *inter alia* stated he has been appointed to hear objections/representations against attachments of various properties in the matter of PACL Ltd. However, the petition nowhere describes the land in question to be under attachment for which the petition is not maintainable before him.

Proceedings in respect of Interlocutory Application (IA)

16. Aggreived by the order of Shri R. S. Virk, District Judge (Retd.), the Applicant has filed Interlocutory Application Nos.158550 of 2024 and 158553 of 2024 before the Hon'ble Supreme Court in the matter of *Subrata Bhattacharya vs. SEBI (supra)* (hereinafter referred to as 'IAs') for setting aside the recommendations of Shri R. S. Virk, District Judge (Retd.) in respect of the impugned properties. The Applicant has inter alia contended that the Applicant is an agriculturalist by profession and the sole bread earner of the family whose income is entirely dependent on the agricultural income. The Applicant has been continuously occupying the impugned properties and the same are registered in the revenue records in his name. The Applicant came to know that in the digital Khasra land record the impugned properties were recorded as 'sold' in column no. 12 against Khasra nos. 687 and 690/2. The Applicant had submitted an application before the concerned authorities of the Revenue Department for rectifying the said revenue record. However, the said entry was not removed since the land was subject matter of the present Civil Appeal. The Applicant has contended that the impugned properties were never sold by him and he did not receive any consideration for the sale of impugned properties and without any agreement or contract, his land was taken away from him causing huge financial hardship and loss of livelihood. The Applicant neither had knowledge nor the means to



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find out the basis for such sale, if any. He further contended that even if there existed a contract or an agreement, in the absence of a consideration, the contract is deemed to be void and therefore, the Applicant continues to be the owner of the said impugned properties. Further, he contended that PACL is neither the owner of the impugned properties nor has the ownership ever shifted to PACL Ltd.

17. In compliance with Order dated 19.02.2026 passed by the Hon'ble Supreme Court in *Subrata Bhattacharya vs SEBI* (supra) the proceedings in respect of IAs were initiated by the Panel of Recovery Officers (hereinafter referred to as 'Panel') and the Applicant was granted an opportunity of hearing on 13.04.2026. Before the date of hearing, the AR of the Applicant has submitted additional documents vide letter dated 20.03.2026 and email dated 10.04.2026 which are taken on record. On the said date of hearing, the Authorised Representative ('AR') of the Applicant appeared virtually and made submission on the lines of averments made in the said IAs. It was *inter-alia* submitted by the AR that the Applicant prayed for parity with the recommendations given by Shri R. S. Virk, District Judge (Retd.) while dealing with objection of Kaushal Puri (File no. 1157). The AR admitted that the sale deed has been executed in respect of the impugned properties however no consideration was received by the Applicant. He further submitted that the Applicant is in possession of the impugned properties. Based on the submissions, AR was advised to submit E-bahi pertaining to the impugned properties which was submitted vide letter dated 13.04.2026 and the same has been taken on record.
18. The Panel has noted the documents submitted by the AR of the Applicant to substantiate his claim as under:



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- i. certified copy of registered sale deed dated 19.03.2004;
- ii. certified copy of Bhu- Adhikar Pustika (E- Bahi);
- iii. application to Sub registrar Seoni dated 10.03.2026 along with English transalation;
- iv. digitally signed Encumbrance certificate dated 10.04.2026;
- v. digitally signed Misal Bandobast (Land Settlement Record) 1988-89 along with English transalation; and
- vi. digitally signed copy of Jamabandi and its translation for land tax paid and entry by Halka Patwari.

19. The panel has perused documents available on record viz., the order dated 14.06.2023, the IA, and the above listed documents and the submissions made by the AR of the Applicant. At the outset, the AR has submitted that the Applicant is an agriculturist and has acquired the impugned properties through inheritance from his father, namely, Late Shri Rajaram S/o Shri Shiv Singh for which he has submitted the Mishal Bandobast 1988-89, a Government land record document of settlement year 1988-89. On perusal of the said document, it is observed that the name of Late Shri Rajaram is recorded against Khasra no. 687 and 690/2 who received land from the State Government. The AR has submitted the certificate of encumbrance and charges on land, CLR nos. 25019464289 and 25019464290 both dated 10.04.2026 in respect of the impugned properties issued by the Revenue Department and the said records reflect the name of the Applicant as a land owner. It is noted that the said document certifies the status of encumbrances and charges on the impugned properties and security recorded in court cases. It is observed from the said documents that there is no remark of any encumbrance and charges recorded in the said certificate. The AR has further



submitted that he is in possession of the impugned properties and has paid land tax regularly, the last being paid on 19.01.2026. In support of his submission, AR has submitted the Jamabandi dated 01.04.2026. On perusal of the Kharawaar Khatauni or Jamabandi for the year 2026-27, it is observed that an amount of Rs.415.15/- has been paid as land revenue and panchayat tax by the Applicant. Apart from the above, the Applicant has also submitted a certified copy of Bhu-Adhikar Pustika (E-Bahi) dated 13.04.2026 which mentions the name of the Applicant as the owner of the impugned properties.

20. The AR has further submitted that the Applicant had, vide letter dated 10.03.2026 addressed to the Sub Registrar Office (SRO) Registration Office, Seoni, requested for registration of the sale deed (Baynama) of the agricultural land. In the letter, it is *inter alia* stated that the Applicant is a resident of village Marbodi and his agricultural land bearing Khasra no. 687 and 690/2, admeasuring 0.40 hectare and 1.82 hectare, respectively (total 2.22 hectares) is situated at Mauja Marbodi, Bandol, Tehsil District Seoni. It is further stated that there is a need to get the sale deed of the said agricultural land registered and that if the registration is not being carried out, the reason of the same be communicated so that further proceedings be undertaken. The AR has submitted that the SRO, Seoni verbally informed him that one sale deed exists in favour of an agent of PACL. The AR has further submitted a certified copy of registered sale deed dated 19.03.2004 executed between the Applicant and Shri Jugal Kishore in respect of the impugned properties.
21. On perusal of the said registered sale deed dated 19.03.2004 (appears to be bearing no. 3296), it is noted that the Applicant has sold the impugned properties to one Shri Jugal Kishore (through Power of Attorney holder, Shri



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Gajanand Aggrawal) for a consideration of Rs.1,02,500/-. Further, the recitals of the said sale deed state that Rs. 1,02,500/- has been received in cash and that there is nothing to be received further towards consideration. In this regard, reference is drawn to the contention raised by the Applicant in the IA wherein it has been specifically stated that the Applicant was not aware of any sale of the impugned properties and that even if there exists any contract or agreement, in absence of receipt of consideration, the contract is deemed to be void. Hence, it is the case of the Applicant that he continues to be the owner of the impugned properties.

22. The Panel has noted that the AR has, in the hearing, admitted to entering into a sale deed with Shri Jugal Kishore; however, submitted that he has not received any consideration for the same. From the contention in the IA and submission made during the hearing and further on examining the application made to SRO by the Applicant, it is found that the AR of the Applicant has made contrary statements with respect to the impugned properties. It is observed that on one hand, he has requested the SRO to get the sale deed registered (the one executed with Shri Jugal Kishore) and if not, then mention the reasons for not registering it so as to enable him to take the matter forward appropriately. On the other hand, in the contentions made in the IA, the Applicant has denied of having entered into any agreement for sale of the impugned properties. Further, as mentioned, he has admitted before the Panel the existence of sale of impugned properties, but has pleaded that the impugned properties belong to him and the same be released from attachment as the revenue records are in the name of the Applicant. Furthermore, as per the recitals of the registered sale deed executed between the Applicant and Shri Jugal Kishore, it is admitted that the whole



consideration for the sale of the impugned properties has been received by the Applicant and that no amount is pending to be received towards consideration. In view of the above, it is observed that AR of the Applicant has contradicted his own contentions with an intention to mislead the Panel.

23. Having perused the aforesaid documents submitted by the Applicant, it is noted that the revenue records reflect the name of the Applicant as the owner of the impugned properties by virtue of the fact that he had inherited the impugned properties from his father and has since then been in possession of the same. The Applicant has placed reliance on the revenue records to substantiate the claim that the impugned properties belong to the Applicant and hence prayed before the Panel to remove the impugned properties from attachment. In this regard, as noted in the earlier para 20 of this order that there exist a duly registered sale deed dated 19.03.2004 wherein the title of the impugned properties has been transferred to one Shri Jugal Kishore. In this regard, it is pertinent to note the settled position of law that the registered sale deed carries with it a formidable presumption of validity and genuineness. In the instant matter, since there is a registered sale deed for a valid consideration in favour of one Shri Jugal Kishore, it establishes the fact that the impugned properties have been sold by the Applicant to him in 2004 and that they no longer belong to the Applicant. The AR has pleaded that since mutation is in the name of the Applicant, he is the owner of the impugned properties. However, in this regard also attention is drawn to the settled position of law wherein Hon'ble Supreme Court of India consistently has held that while revenue records like *Jamabandi*, mutation entries do not by themselves confer or establish ownership or title, they are admissible as valid public evidence to prove actual physical possession and enjoyment of



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a property. In the instant case, even though revenue records contain the name of the Applicant as the owner, it is clear that they only serve as an evidence of possession of the property and are just entries maintained for fiscal purposes and do not create or prove the legal ownership.

24. The Panel has noted that Shri R. S. Virk, District Judge (Retd.) had dismissed the objection petition on ground that the impugned properties were not under attachment and hence, the same was not maintainable before him. On perusing the list of attached properties with the Committee (<https://sebipaclproperties.com>), the Panel also finds that the impugned properties do not form a part of the attached list of properties belonging to PACL Ltd. and thus, no MR number in respect of the said properties is available on record.
25. The AR has also submitted that the purchaser in the sale deed, i.e., Shri Jugal Kishore Sharma is alleged person of PACL and that his name can be verified in some other documents seized by CBI under various MR nos. In this regard, reference is also made to the order dated 22.08.2014 passed by SEBI, wherein observations with respect to the *modus operandi* adopted by PACL Ltd. have been made and it has been noted that PACL has admitted that for the purpose of its business, it was buying lands through its agents/associates/employees, as PACL was unable to own the lands in its own name beyond certain limits due to the land laws in the country.
26. In view of the foregoing findings, even in the absence of MR. number, considering that the Applicant has sold the impugned properties in the year 2004 via registered sale deed for consideration to Shri Jugal Kishore, who has



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been stated by the Applicant himself of being an agent of PACL, it can be inferred that Shri Jugal Kishore Sharma purchased the impugned properties on behalf of PACL. Therefore, the Panel is of the view that the Applicant cannot claim the title over the impugned properties and the IAs filed by the Applicants deserves to be rejected.

27. The Panel has also noted the submission of the AR that if MR is available then the Panel may accept the objection on the basis of recommendation in the file no. 1157 given by Shri R. S. Virk, District Judge (Retd.). However, in view of the above observations, the prayer of the Applicant does not warrant any further consideration.

ORDER:

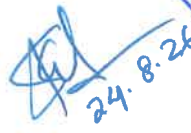
28. Given the above, the Interlocutory Application nos. 158550 of 2024 and 158553 of 2024 filed by the Applicant in respect of impugned properties comprised in Khasra no. 687 (0.40 hectares) and Khasra no. 690/2 (1.82 hectares), total admeasuring 2.22 hectares situated at Village Marbodi, Bandol Tehsil, District Seoni, Madhya Pradesh is liable to be rejected and is hereby rejected.
29. The IA is disposed of accordingly in terms of the above order.

Place: Mumbai

Date: 24.08.2026


KSHAMA P. WAGHERKAR
Recovery Officer


RESHMA GOEL
Recovery Officer


SAROJ KUMAR SAHU
Recovery Officer



क्षमा प्र. वाघेरकर / KSHAMA P. WAGHERKAR
महाप्रबंधक एवं वसूली अधिकारी
General Manager & Recovery Officer
(सी. ए. सी. एल. लि. के मामले में संबंधित, मुंबई) / (In the matter of PACL Ltd. Mumbai)

रेशमा गोयल / RESHMA GOEL
उप महाप्रबंधक एवं वसूली अधिकारी
Deputy General Manager & Recovery Officer
(सी. ए. सी. एल. लि. के मामले में संबंधित, मुंबई) / (In the matter of PACL Ltd. Mumbai)

सरोज कुमार साहु / SAROJ KUMAR SAHU
उप महाप्रबंधक एवं वसूली अधिकारी
Deputy General Manager & Recovery Officer
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