

Before Shri R.S. Virk, District Judge (Retd.)

File no. 630

- Applicants :**
- (i) Smt. Pushpa Devi w/o Dodram, Delhi
(Registration No. U032129372 dated 29-07-2008);
 - (ii) Shri Harindra Singh s/o Harpal Singh, Delhi
(Registration No. U032499129 dated 09-05-2014);
 - (iii) Shri Pawan Kumar s/o Naresh Kumar, Delhi
(Registration No. U032490778 dated 21-01-2014);
 - (iv) Shri Jag Jeewan s/o Shiv Nath, Delhi
(Registration No. U032205782 dated 16-09-2009);
 - (v) Smt. Meena d/o Maya Ram, Delhi
(Registration No. U032271007 dated 31-05-2010);
 - (vi) Shri Prithvipal s/o Maya Ram, Delhi
(Registration No. U032270998 dated 31-05-2010);
 - (vii) Shri Khem Chandra s/o Maya Ram, Delhi
(Registration No. U032205781 dated 16-09-2009);
 - (viii) Shri Vijay Kumar s/o Pradeep Kumar, Delhi
(Registration No. U032255908 dated 15-04-2010);
 - (ix) Shri Durgesh s/o Chndrakant, Delhi
(Registration No. U032340152 dated 17-02-2011);
 - (x) Shri Chander Kant s/o Har Narayan, Delhi
(Registration No. U032308253 dated 13-11-2010);
 - (xi) Shri Ram Dayal s/o Ram Dhan, Delhi
(Registration No. U032361851 dated 28-04-2011)
(Registration No. U032267035 dated 15-05-2010)
(Registration No. U032267037 dated 15-05-2010);
 - (xii) Shri Ram Kewal s/o Gomti Prasad, Delhi
(Registration No. U032202285 dated 31-08-2009);
 - (xiii) Mrs. Munija Begam w/o Tarikh Ali, Delhi
(Registration No. U032012183 dated 06-01-2005)
(Registration No. U032012182 dated 06-01-2005);

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.

R.S. Virk

(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 thirteen 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 Smt. Pushpa Devi w/o Dodram seeks refund of Rs.50,000/- with the averment that she had invested the said amount with PACL India Ltd on 29/07/2008 as per registration certificate no. U032129372 dated 29/07/2008. It is contended that the said agreement has matured on 29/07/2014 but she has not heard anything further from PACL.
4. The applicant Shri Harinder Singh s/o Harpal Singh seeks refund of Rs.40,000/- with the averment that he had invested the said amount with PACL India Ltd on 09/05/2014 as per registration certificate no. U032499129 dated 09/05/2014 for allotment of 800Sq. Yd. plot. It is contended that the said agreement has matured on 09/05/2020 but he has not heard anything further from PACL.
5. The applicant Shri Pawan Kumar s/o Naresh Kumar seeks refund of Rs.75,000/- with the averment that he had invested the said amount with PACL India Ltd on 21/01/2014 as per registration certificate no. U032490778 dated 21/01/2014 for allotment of 1000Sq. Yd. plot. It is contended that the said agreement has matured on 21/01/2020 but he has not heard anything further from PACL.
6. The applicant Shri Jag Jeewan s/o Shiv Nath seeks refund of Rs.22,500/- with the averment that he had invested the said amount with PACL India Ltd on 16/09/2009 as per registration certificate no. U032205782 dated 16/09/2009 for allotment of 450Sq. Yd. plot. It is contended that the said agreement has matured on 16/09/2016 but he has not heard anything further from PACL.
7. The applicant Smt. Meena d/o Maya Ram seeks refund of Rs.45,000/- with the averment that she had invested the said amount with PACL India Ltd on 31/05/2010 as per registration certificate no. U032271007 dated 31/05/2010. It is contended that the said agreement has matured on 31/05/2017 but she has not heard anything further from PACL.
8. The applicant Shri Prithivi Pal s/o Maya Ram seeks refund of Rs.1,00,000/- with the averment that he had invested the said amount with PACL India Ltd on 31/05/2010 as per registration certificate no. U032270998 dated 31/05/2010 for allotment of 450Sq.

Yd. plot. It is contended that the said agreement has matured on 31/05/2017 but he has not heard anything further from PACL.


9. The applicant Shri Khem Chandra s/o Maya Ram seeks refund of Rs.1,00,000/- with the averment that he had invested the said amount with PACL India Ltd on 16/09/2009 as per registration certificate no. U032205781 dated 16/09/2009 for allotment of 1000Sq. Yd. plot. It is contended that the said agreement has matured on 16/09/2016 but he has not heard anything further from PACL.
10. The applicant Shri Vijay Kumar s/o Pradeep Kumar seeks refund of Rs.40,000/- with the averment that he had invested the said amount with PACL India Ltd on 15/04/2010 as per registration certificate no. U032255908 dated 15/04/2010 for allotment of 800Sq. Yd. plot. It is contended that the said agreement has matured on 15/04/2017 but he has not heard anything further from PACL.
11. The applicant Shri Durgesh s/o Chandrakant seeks refund of Rs.37,500/- with the averment that he had invested the said amount with PACL India Ltd on 17/02/2011 as per registration certificate no. U032340152 dated 17/02/2011 for allotment of 750Sq. Yd. plot. It is contended that the said agreement has matured on 17/02/2017 but he has not heard anything further from PACL.
12. The applicant Shri Chander Kant s/o Har Narayan seeks refund of Rs.37,500/- with the averment that he had invested the said amount with PACL India Ltd on 13/11/2010 as per registration certificate no. U032308253 dated 13/11/2010 for allotment of 750Sq. Yd. plot. It is contended that the said agreement has matured on 13/11/2016 but he has not heard anything further from PACL.
13. (a) The applicant Shri Ram Dayal s/o Ram Dhan seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India Ltd on 28/04/2011 as per registration certificate no. U032361851 dated 28/04/2011 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 28/04/2018 but he has not heard anything further from PACL.

(b) The applicant Shri Ram Dayal s/o Ram Dhan further seeks refund of Rs.50,000/- with the averment that he had invested the said amount with PACL India Ltd on 15/05/2010 as per registration certificate no. U032267035 dated 15/05/2010 for allotment of 1000Sq. Yd. plot. It is contended that the said agreement has matured on 15/11/2015 but he has not heard anything further from PACL.

(c) The applicant Shri Ram Dayal s/o Ram Dhan also seeks refund of Rs.62,500/- with the averment that he had invested the said amount with PACL India Ltd on 15/05/2010 as per registration certificate no. U032267037 dated 15/05/2010 for allotment of 1250Sq. Yd. plot. It is contended that the said agreement has matured on 15/05/2017 but he has not heard anything further from PACL.

14. The applicant Shri Ram Kewal s/o Gomti Prasad seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India Ltd on 31/08/2009 as per registration certificate no. U032202285 dated 31/08/2009 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 31/08/2016 but he has not heard anything further from PACL.
15. (a) The applicant Mrs. Munija Begam w/o Tarikh Ali seeks refund of Rs.10,000/- with the averment that she had invested the said amount with PACL India Ltd on 06/01/2005 as per registration certificate no. U032012183 dated 06/01/2005. It is contended that the said agreement has matured on 06/01/2015 but she has not heard anything further from PACL.
- (b) The applicant Mrs. Munija Begam w/o Tarikh Ali further seeks refund of Rs.20,000/- with the averment that she had invested the said amount with PACL India Ltd on 06/01/2005 as per registration certificate no. U032012182 dated 06/01/2005. It is contended that the said agreement has matured on 06/01/2015 but she has not heard anything further from PACL.
16. (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 : 22/02/2019


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