

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

File no. 633

- Applicants :** (i) Smt. Phoolkali w/o Gorakh Nath, Delhi
(Registration No. U032425755 dated 28-04-2012)
(Registration No. U032424900 dated 25-04-2012);
- (ii) Shri Sanjay Thakur s/o Dhaneshwar Thakur, Delhi
(Registration No. U032243818 dated 24-02-2010);
- (iii) Shri Virender s/o Bhad Dev, Delhi
(Registration No. U032260814 dated 29-04-2010)
(Registration No. U032242496 dated 20-02-2010);
- (iv) Smt. Geeta Devi w/o Virender, Delhi
(Registration No. U032452330 dated 23-11-2012)
(Registration No. U032452329 dated 23-11-2012);
- (v) Smt. Jyoti Devi w/o Chandra Narayan Jha, Delhi
(Registration No. U032216876 dated 13-11-2009);
- (vi) Shri Kant Shukla s/o Virender Nath Shukla, Delhi
(Registration No. U032346121 dated 07-03-2011)
(Registration No. U032346123 dated 07-03-2011);
- (vii) Miss Indira d/o Laxman Thakur, Delhi
(Registration No. U032455815 dated 28-12-2012);
- (viii) Shri Rohan Kumar Thakur s/o Laxman Thakur, Delhi
(Registration No. U032455816 dated 28-12-2012);
- (ix) Smt. Bachhi Devi w/o Dhaneshwar Thakur, Delhi
(Registration No. U032243819 dated 24-02-2010);
- (x) Smt. Kalyani Devi w/o Sanjay Thakur, Delhi
(Registration No. U032246171 dated 08-03-2010);
- (xi) Smt. Punita Devi w/o Gopal Thakur, Delhi
(Registration No. U032246173 dated 08-03-2010);
- (xii) Smt. Sunita Devi w/o Vishwanath Jha, Delhi
(Registration No. U032208080 dated 29-09-2009);
- (xiii) Shri Vishwanath Jha s/o Parshuram Jha, Delhi
(Registration No. U032472072 dated 13-05-2013);

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) 2nd Status Report (Volume-I) of the Justice (Retd.) R.M. Lodha Committee (in the matter of PACL Ltd) submitted before the Hon'ble Supreme Court, had at page 77 thereof, purposed as under :-

“It would be in the interest of the investors of the Company, that all objections based on documents purportedly executed after 02-02-2016 be scrutinized and then heard and disposed of by a retired Judicial Officer(s) assisted by requisite number of Advocates, appointed by the Committee.”

(c) The aforesaid proposal of committee was accepted by the Hon'ble Supreme Court.

2. (a) 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 which appointment has been duly notified in SEBI Press release no. 66 dated 08/12/2017.

(b) My said appointment is also duly 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.

3. 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.

4. (a) The applicant Smt. Phoolkali w/o Gorakh Nath seeks refund of Rs.30,000/- with the averment that she had invested the said amount with PACL India Ltd on 28/04/2012 as per registration certificate no. U032425755 dated 28/04/2012 for allotment of 600Sq. Yd. plot. It is contended that the said agreement has matured on 28/04/2019 but she has not heard anything further from PACL.

(b) The applicant Smt. Phoolkali w/o Gorakh Nath further seeks refund of Rs.20,000/- with the averment that she had invested the said amount with PACL India Ltd on 25/04/2012 as per registration certificate no. U032424900 dated 25/04/2012 for allotment of 400Sq. Yd. plot. It is contended that the said agreement has matured on 25/04/2018 but she has not heard anything further from PACL.

5. The applicant Shri Sanjay Thakur s/o Dhaneshwar Thakur seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India Ltd on 24/02/2010 as per registration certificate no. U032243818 dated 24/02/2010 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 24/08/2015 but he has not heard anything further from PACL.
6. (a) The applicant Shri Virender s/o Bhad Dev seeks refund of Rs.20,000/- with the averment that he had invested the said amount with PACL India Ltd on 29/04/2010 as per registration certificate no. U032260814 dated 29/04/2010 for allotment of 400Sq. Yd. plot. It is contended that the said agreement has matured on 29/04/2017 but he has not heard anything further from PACL.
- (b) The applicant Shri Virender s/o Bhad Dev further seeks refund of Rs.37,500/- with the averment that he had invested the said amount with PACL India Ltd on 20/02/2010 as per registration certificate no. U032242496 dated 20/02/2010 for allotment of 750Sq. Yd. plot. It is contended that the said agreement has matured on 20/02/2016 but he has not heard anything further from PACL.
7. (a) The applicant Smt. Geeta Devi w/o Virender seeks refund of Rs.10,000/- with the averment that she had invested the said amount with PACL India Ltd on 23/11/2012 as per registration certificate no. U032452330 dated 23/11/2012 for allotment of 200Sq. Yd. plot. It is contended that the said agreement has matured on 23/02/2019 but she has not heard anything further from PACL.
- (b) The applicant Smt. Geeta Devi w/o Virender further seeks refund of Rs.20,000/- with the averment that she had invested the said amount with PACL India Ltd on 23/11/2012 as per registration certificate no. U032452329 dated 23/11/2012 for allotment of 400Sq. Yd. plot. It is contended that the said agreement has matured on 23/02/2019 but she has not heard anything further from PACL.
8. The applicant Smt. Jyoti Devi w/o Chandra Narayan Jha seeks refund of Rs.37,500/- with the averment that she had invested the said amount with PACL India Ltd on 13/11/2009 as per registration certificate no. U032216876 dated 13/11/2009 for allotment of 750Sq. Yd. plot. It is contended that the said agreement has matured on 13/11/2015 but she has not heard anything further from PACL.
9. (a) The applicant Shri Kant Shukla s/o Virender Nath Shukla seeks refund of Rs.10,000/- with the averment that he had invested the said amount with PACL India Ltd on 07/03/2011 as per registration certificate no. U032346121 dated 07/03/2011 for allotment of 200Sq. Yd. plot. It is contended that the said agreement has matured on 07/03/2021 but he has not heard anything further from PACL.
- (b) The applicant Shri Kant Shukla s/o Virender Nath Shukla further seeks refund of Rs.15,000/- with the averment that he had invested the said amount with PACL India

Ltd on 07/03/2011 as per registration certificate no. U032346123 dated 07/03/2011 for allotment of 300Sq. Yd. plot. It is contended that the said agreement has matured on 07/03/2021 but he has not heard anything further from PACL.


10. The applicant Miss Indira d/o Laxman Thakur seeks refund of Rs.7,500/- with the averment that she had invested the said amount with PACL India Ltd on 28/12/2012 as per registration certificate no. U032455815 dated 28/12/2012 for allotment of 150Sq. Yd. plot. It is contended that the said agreement has matured on 28/06/2018 but she has not heard anything further from PACL.
11. The applicant Shri Rohan Kumar Thakur s/o Laxman Thakur seeks refund of Rs.7,500/- with the averment that he had invested the said amount with PACL India Ltd on 28/12/2012 as per registration certificate no. U032455816 dated 28/12/2012 for allotment of 150Sq. Yd. plot. It is contended that the said agreement has matured on 28/06/2018 but he has not heard anything further from PACL.
12. The applicant Smt. Bachhi Devi w/o Dhaneshwar Thakur seeks refund of Rs.37,500/- with the averment that she had invested the said amount with PACL India Ltd on 24/02/2010 as per registration certificate no. U032243819 dated 24/02/2010 for allotment of 400Sq. Yd. plot. It is contended that the said agreement has matured on 24/08/2015 but she has not heard anything further from PACL.
13. The applicant Smt. Kalyani Devi w/o Sanjay Thakur seeks refund of Rs.7,500/- with the averment that she had invested the said amount with PACL India Ltd on 08/03/2010 as per registration certificate no. U032246171 dated 08/03/2010 for allotment of 150Sq. Yd. plot. It is contended that the said agreement has matured on 08/03/2016 but she has not heard anything further from PACL.
14. The applicant Smt. Punita Devi w/o Late Gopal Thakur seeks refund of Rs.20,000/- with the averment that she had invested the said amount with PACL India Ltd on 08/03/2010 as per registration certificate no. U032246173 dated 08/03/2010 for allotment of 400Sq. Yd. plot. It is contended that the said agreement has matured on 08/09/2015 but she has not heard anything further from PACL.
15. The applicant Smt. Sunita w/o Vishwanath Jha seeks refund of Rs.22,500/- with the averment that she had invested the said amount with PACL India Ltd on 29/09/2009 as per registration certificate no. U032208080 dated 29/09/2009 for allotment of 450Sq. Yd. plot. It is contended that the said agreement has matured on 29/03/2015 but she has not heard anything further from PACL.
16. The applicant Shri Vishwnath Jha s/o Parshuram Jha seeks refund of Rs.22,500/- with the averment that he had invested the said amount with PACL India Ltd on 13/05/2013 as per registration certificate no. U032472072 dated 13/05/2013 for allotment of 450Sq.

Yd. plot. It is contended that the said agreement has matured on 13/11/2018 but he has not heard anything further from PACL.

17. (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 : 08/03/2019


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