

16.1.2025

Saikat &

Rohit

Sl. 1 to 10

Rose Valley

W.P.A 27005 of 2016

CAN 1 of 2019 (Old CAN 4506 of 2019)

CAN 4 of 2021

CAN 5 of 2022

CAN 6 of 2022

CAN 7 of 2023

CAN 8 of 2024

CAN 9 of 2024

CAN 10 of 2024

CAN 11 of 2024

CAN 12 of 2024

CAN 13 of 2024

CAN 14 of 2024

CAN 15 of 2024

CAN 16 of 2024

CAN 17 of 2024

with original side matters :

WP 275 of 2015, GA 896 of 2017, GA 315 of 2016,

GA 2291 of 2015, GA 3765 of 2015, GA 4015 of 2015

with

APOT 287 of 2015, GA 2255 of 2015, GA 2256 of 2015

with

GA 1552 of 2018

with

GA 5 of 2022

with

GA 7 of 2023

with

GA 8 of 2024

with

GA 9 of 2024

Kalipada Pal

Vs.

Union of India & Ors.

with

W.P.A 18257 of 2023

Brand Value Communications Ltd.

Vs.

Directorate of Enforcement, GOI & Ors.

with

W.P.A 20812 of 2023

Samir Kumar Hazra & Anr.

Vs.

Union of India & Ors.

With

W.P.A 20822 of 2023

Suvash Maji & Ors.

Vs.

Union of India & Ors.

with

W.P.A 20947 of 2023

Lipika Chanda

Vs.

Union of India & Ors.

with

W.P.A 24932 of 2023

Asit Pramanik & Ors.

Vs.

Union of India & Ors.

with

W.P.A 25845 of 2016

CAN 1 of 2018 (Old CAN 4643 of 2018)

Rose Valley Fields Employees Union (WB Circle) & Anr.

Vs.

Union of India & Ors.

with

W.P.A 3268 of 2016

Sarmistha Singha & Anr.

Vs.

Union of India & Ors.

with

W.P.A 6975 of 2024

Utpal Chanda

Vs.

Union of India & Ors.

with

W.P.A 7837 of 2022

Chitra Malik & Ors.

Vs.

Union of India & Ors.

Mr. Subhasis Chakraborty

Mr. Arindam Das

..... for petitioners in WPA 27005/16

Mr. Susanta Kr. Santra

..... for petitioners in WPA 20812,
20822, 24932 of 23

Mr. Anirban Kar

Mr. Suvadeep Sen

..... for ADC in WPA 27005/16
& in WAP 18257/23

Mr. Sreetama Biswas

... for Rose Valley Company in WPA 27005/16

Mr. Amarendra Chakraborty

.....for the petitioner in W.P.A 3268/16,

Mr. Kaushik Gupta, Sr. Adv.

Mr. Dipendra Nath Chunder

Mr. Anirban Tarafder

Mr. Jit Ray

...for the petitioners in WPA 18257/23

Mr. Kallol Mondal

Mr. S.K. Tiwari

.....for SFIO (UOI) in WP 18257/23

Mr. Soumabho Ghosh

Ms. Tiana Bhattacharya

Mr. Soumalya Ganguli

.....for the proforma respondent in WPA 18257/23.

Mr. Jayanta Narayan Chatterjee, Sr. Adv.

Ms. Ritushree Banerjee

..for the applicant in CAN 1 of 2024 in W.P.A 27005/16,

Mr. Dhiraj Trevedi, Id. DSGI Mr.

Partho Ghosh

Mrs. Debjani Roy

Ms. Amrita Pandeyfor ED

Mr. P.K. Dutt Mr.
S.K. Dutt Mr.
Syamantak Banerjee
.....for the SEBI

Mr. Amajit Dey, Spl. P.P., CBI
.....for the CBI

Mr. Mihir Kundu
..... for EPF Authority in CAN 16 &
17/2024 in WPA 27005/16

Ms. Suchishmita Ghosh
..... for RBI(Respondent No.3 & 4) in
WPA 27005/16

Ms. Suchishmita Ghosh
..... for RBI(Respondent No.3) in
WPA 20947/23

Mr. Swatarup Banerjee
Mr. Aditya Mondal
..... for Applicant (in CAN 12/2024 in
WPA 27005/16)

Ms. Sneha Dutta
..... for Applicant (in CAN 14/2024 in
WPA 27005/16)

Mr. Supriyo Shasmal
..... for Applicant (in CAN 15/2024 in
WPA 27005/16)

Mr. Siddhartha Banerjee
Mr. J. Ray
..... for Chocolate Hotels Pvt. Ltd.

1. Tenth interim report of ADC is placed on record.
2. We have perused the report.
3. We confirm the sale of the property described in Sl. No.3 of the auction notice (hereinafter referred

to as 'Behala Property') in favour of Narayan Chandra Dey and Ganesh Agarwal for Rs.2,18,62,000/-, SEBI shall credit the amount to the account of ADC.

4. In respect of the auction of property described in Sl. No.5 of the Auction Notice (hereinafter referred to as 'Mecheda Property'), we note that the successful bidders, namely, Narayan Chandra Dey and Ganesh Agarwal have already deposited the bid amount to the tune of Rs.2,19,42,000/- along with one per cent poundage fee.
5. However, one Mr. Kartick Patra has applied in CAN 13 of 2024 before this Court offering sum of Rs.2.30 crores for the said property.
6. However, Mr. Patra is unrepresented today. Writ petitioners shall issue notice upon Mr. Patra as well as the successful bidders to appear before this Court on 20th February, 2025. Affidavit-of-service shall be filed on the adjourned date.
7. In the event in spite of notice Mr. Patra fails to appear on the next date, his application shall be dismissed for non-prosecution and the sale shall be confirmed in favour of the successful bidders.
8. ADC has also referred to properties attached by Enforcement Directorate in ML Case No.09/2024.
9. Dy. Solicitor General seeks time to take

instruction in the matter. He shall submit report in respect of the stage of the criminal proceeding and also indicate the manner in which the attached properties may be restored or utilised by the depositors/claimants.

10. Audit report of BVCL has been placed on record.

11. Audit report of CHPL be filed as early as possible.

12. SEBI is directed to look into the Audit report of BVCL and shall submit its response by the adjourned date.

13. Representative of the State of West Bengal in the ADC has changed. ADC be reconstituted accordingly.

**In Re: CAN/16/2024
&
CAN/17/2024
In
WPA/27005/2016**

1. Copies of the applications be served upon the appearing parties particularly, the Company, SEBI, E.D. and the writ petitioners. Affidavit-in-opposition, if any, be filed within two weeks, reply one week thereafter.

**In Re: CAN/12/2024
In
WPA/27005/2016**

1. Applicant/depositors be added as proforma respondents in the proceeding. Writ petitioners

shall make necessary amendment to the writ petition and add the applicants as proforma respondents.

**In Re: CAN/12/2024
&
CAN/14/2024
In WPA/27005/2016**

1. Copies be served. CAN 14/2024 shall be heard with CAN 12/2024.
 2. Affidavit-in-opposition be positively filed within two weeks, reply one week thereafter. The directions are peremptory. ADC shall also furnish copies of the interim reports to the parties.
14. The matters shall appear on 20th February, 2025.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)