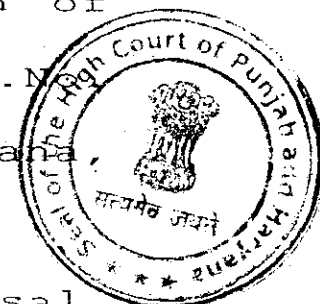


## IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TO

1. State of Maharashtra through its Deputy Secretary, Home Department, 30<sup>th</sup> Floor, World Trade Center, Cuffe Parade, Mumbai 400005.
2. The Deputy Commissioner Nawanshahr, District Nawanshahr, Punjab.
3. The Tehsildar Nawanshahr, District Nawanshahr, Punjab.
4. The Manager, United Bank of India, Branch Cheema Chowk, Ludhiana, District Ludhiana.
5. M/s ARK Imports Pvt. Limited, 228-G, Industrial Area-A, Ludhiana, Punjab through its Director.
6. National Spot Exchange Limited (NSEL), 6<sup>th</sup> Floor, Chintamani Plaza, Chakala, Andheri Kurla Road, Andheri (East), Mumbai - 400099 through its Director
7. Genex Polyfab Limited, 228-F, Industrial Area-A, Near Janakpuri Chowk, Ludhiana, through its Director Sh. Abhisek Kansal son of Anish Kansal, resident of H.No. 259-L, Model Town, Ludhiana District Ludhiana, Punjab
8. Abhisek Kansal son of Anish Kansal, resident of H.No.259-L, Model Town, Ludhiana, District Ludhiana, Punjab, District Ludhiana, Punjab



Subject: **CM -12231 -CWP-2019** in/and **CWP No. 10386 OF 2016**  
**GENEX INFRA TECH LIMITED AND ANOTHER** ... Petitioner(s)  
Versus **POLYFIB**  
**STATE OF MAHARASHTRA AND OTHERS** ...Respondent(s)

Sir,

In continuation of this Court's order dated 25.04.2017 I am directed to forward herewith a copy of order dated 29.08.2019 passed by the Hon'ble High Court in above noted Civil Writ Petition(s) for immediate strict compliance

Given under my hand and the seal of this Court on **03.09.2019**

*Veejay*  
**Superintendent(writs)**  
**For Assistant Registrar(writs)**

IN THE HON'BLE HIGH COURT OF HARYANA AND  
PUNJAB, CHANDIGARH

C.W.P. NO. 10386 OF 2016

1. Genex Polyfab Limited, 228-F,  
Industrial Area-A, Near Janakpuri  
Chowk, Ludhiana, through its  
Director Sh. Abhisek Kansal son of  
Anish Kansal, resident of H.No.  
259-L, Model Town, Ludhiana,  
District Ludhiana, Punjab
2. Abhisek Kansal son of Anish Kansal,  
resident of H.No.259-L, Model Town,  
Ludhiana, District Ludhiana,  
Punjab, District Ludhiana, Punjab

...Petitioners

VERSUS

1. State of Maharashtra through its  
Deputy Secretary, Home Department,  
30<sup>th</sup> Floor, World Trade Center,  
Cuffe Parade, Mumbai 400005.

2. The Deputy Commissioner Nawanshahr,  
District Nawanshahr, Punjab.
3. The Tehsildar Nawanshahr, District  
Nawanshahr, Punjab.
4. The Manager, United Bank of India,  
Branch Cheema Chowk, Ludhiana,  
District Ludhiana.
5. M/s ARK Imports Pvt. Limited, 228-  
G, Industrial Area-A, Ludhiana,  
Punjab through its Director.
6. National Spot Exchange Limited  
(NSEL), 6<sup>th</sup> Floor, Chintamani Plaza,  
Chakala, Andheri Kurla Road,  
Andheri (East), Mumbai - 400099  
through its Director

...Respondents

CIVIL WRIT PETITION under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of Certiorari for quashing/ setting aside the Notification dated 28.08.2014 (Annexure P-2) and Notification dated 12.03.2015 issued by respondent no.1 (Annexure P-3), whereby the property and the bank accounts of the petitioners has been illegally and unlawfully, without considering the facts, circumstances as well as law ordered to be attached.

It is further prayed that the operation of the impugned notifications (P-2 and P-3) may kindly be stayed qua the petitioners during the pendency of present writ petition before this Hon'ble Court.

It is further prayed that a writ in the nature of Mandamus may kindly be issued whereby restraining the respondents to dispossess the

petitioners from its/ his property and alienating any amount from its/his bank account by taking any coercive action against the petitioners.

Pass any other order or direction which this Hon'ble Court may deems fit and proper keeping in view the peculiar facts and circumstances of the present case.

**RESPECTFULLY SHOWETH:**

1. That the petitioner no.1 is a company registered under the Provisions of the Companies Act, 1956 and its registered office is within the jurisdiction of this Hon'ble Court. The petitioner no.2 is one of the Directors of petitioner no.1 and is residing in the territorial jurisdiction of this Hon'ble Court. The petitioners are aggrieved from the impugned Notifications (Annexure P-2 and P-3). Thus, the petitioners are entitled to invoke the extra ordinary writ jurisdiction of this

IN THE HON'BLE HIGH COURT OF PUNJAB & HARYANA,  
CHANDIGARH

CM No. 12231 of 2019

In

CWP NO. 10386 OF 2016

Genex Polyfab Limited & Anr.

...Petitioner

Versus

State of Maharashtra and Ors.

...Respondents

Application under Section 151  
C.P.C. for permission to withdraw  
the above noted writ petition  
pending before this Hon'ble Court.

RESPECTFULLY SHOWETH:

1. That the above noted civil writ was filed by the petitioners before this hon'ble Court. The above mentioned writ petition is pending for 14.01.2020 for adjudication before this Hon'ble Court.

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CM-12231-CWP-2019 In/and  
CWP-10386-2016

Date of Decision: 29.08.2019

Genex Polyfab Limited and another

...Petitioners

Vs.

State of Maharashtra and others

...Respondents

**CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA**

Present: Mr. S.K. Panwar, Advocate  
for the applicant/petitioner.

Mr. Namit Kumar, Advocate  
for respondent No.1/State of Maharashtra.

Ms. Simran Grewal, AAG Punjab.

**RAJIV NARAIN RAINA, J. (Oral)**

**CM-12231-CWP-2019**

Prayer in the application is for withdrawal of the present writ petition. The application is duly supported by an affidavit.

CM is allowed. The date in the main case is brought forward in view of the nature of the request.

**CWP-10386-2016**

The petition is dismissed as withdrawn.

29.08.2019

kv

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No

(RAJIV NARAIN RAINA)  
JUDGE



*Rajiv*  
6.8.19



Status: **DECIDED**

W-12

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TO

1. State of Maharashtra through its Deputy Secretary, Home Department, 30<sup>th</sup> Floor, World Trade Center, Cuffe Parade, Mumbai 400005. 1604  
7-9-19
2. The Deputy Commissioner Ludhiana, District Ludhiana, Punjab.
3. The Deputy Commissioner Nawanshahr, District Nawanshahr, Punjab.
4. The Tehsildar Ludhiana, District Ludhiana, Punjab.
5. The Tehsildar Nawanshahr, District Nawanshahr, Punjab.
6. The Manager, United Bank of India, Branch Cheema Chowk, Ludhiana, District Ludhiana.
7. M/s ARK Imports Pvt. Limited, 228-G, Industrial Area-A, Ludhiana, Punjab through its Director.
8. National Spot Exchange Limited (NSEL), 6<sup>th</sup> Floor, Chintamani Plaza, Chakala, Andheri Kurla Road, Andheri (East), Mumbai - 400099 through its Director
9. Genex Infratech Limited, 228-D, Industrial Area-A, Near Janakpuri Chowk, Ludhiana, through its Director Sh. Abhisek Kansal son of Anish Kansal, resident of H.No. 259-L, Model Town, Ludhiana, District Ludhiana, Punjab
10. Abhisek Kansal son of Anish Kansal, resident of H.No.259-L, Model Town, Ludhiana, District Ludhiana, Punjab, District Ludhiana, Punjab



Subject: **CM -12236-CWP-2019** in/and **CWP No. 12363 OF 2016**

**GENEX INFRATECH LIMITED AND ANOTHER**

... Petitioner(s)

Versus

**STATE OF MAHARASHTRA AND OTHERS**

...Respondent(s)

Sir,

In continuation of this Court's order dated 25.04.2017 I am directed to forward herewith a copy of order dated 29.08.2019 passed by the Hon'ble High Court in above noted Civil Writ Petition(s) for immediate strict compliance

Given under my hand and the seal of this Court on **03.09.2019**

*V. S. Rao*  
**Superintendent(writs)**  
**For Assistant Registrar(writs)**

IN THE HON'BLE HIGH COURT OF HARYANA AND  
PUNJAB, CHANDIGARH

C.W.P. NO 12363 OF 2016

1. Genex Infratech Limited, 228-D,  
Industrial Area-A, Near Janakpuri  
Chowk, Ludhiana, through its  
Director Sh. Abhisek Kansal son of  
Anish Kansal, resident of H.No.  
259-L, Model Town, Ludhiana,  
District Ludhiana, Punjab
2. Abhisek Kansal son of Anish Kansal,  
resident of H.No.259-L, Model Town,  
Ludhiana, District Ludhiana,  
Punjab, District Ludhiana, Punjab  
...Petitioners

VERSUS

1. State of Maharashtra through its  
Deputy Secretary, Home Department,  
30<sup>th</sup> Floor, World Trade Center,  
Cuffe Parade, Mumbai 400005.

2. The Deputy Commissioner Ludhiana,  
District Ludhiana, Punjab.
3. The Deputy Commissioner Nawanshahr,  
District Nawanshahr, Punjab.
4. The Tehsildar Ludhiana, District  
Ludhiana, Punjab.
5. The Tehsildar Nawanshahr, District  
Nawanshahr, Punjab.
6. The Manager, United Bank of India,  
Branch Cheema Chowk, Ludhiana,  
District Ludhiana.
7. M/s ARK Imports Pvt. Limited, 228-  
G, Industrial Area-A, Ludhiana,  
Punjab through its Director.
8. National Spot Exchange Limited  
(NSEL), 6<sup>th</sup> Floor, Chintamani Plaza,  
Chakala, Andheri Kurla Road,  
Andheri (East), Mumbai - 400099  
through its Director

...Respondents

CIVIL WRIT PETITION under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of Certiorari for quashing/ setting aside the Notification dated 28.08.2014 (Annexure P-2) and Notification dated 12.03.2015 issued by respondent no.1 (Annexure P-3), whereby the property and the bank accounts of the petitioners has been illegally and unlawfully, without considering the facts, circumstances as well as law ordered to be attached.

It is further prayed that the operation of the impugned notifications (P-2 and P-3) may kindly be stayed qua the petitioners during the pendency of present writ petition before this Hon'ble Court.

It is further prayed that a writ in the nature of Mandamus may kindly be issued whereby restraining the respondents to dispossess the

petitioners from its/ his property and alienating any amount from its/his bank account by taking any coercive action against the petitioners.

Pass any other order or direction which this Hon'ble Court may deems fit and proper keeping in view the peculiar facts and circumstances of the present case.

**RESPECTFULLY SHOWETH:**

1. That the petitioner no.1 is a company registered under the Provisions of the Companies Act, 1956 and its registered office is within the jurisdiction of this Hon'ble Court. The petitioner no.2 is one of the Directors of petitioner no.1 and is residing in the territorial jurisdiction of this Hon'ble Court. The petitioners are aggrieved from the impugned Notifications (Annexure P-2 and P-3). Thus, the petitioners are entitled to invoke the

IN THE HON'BLE HIGH COURT OF PUNJAB & HARYANA,

CHANDIGARH

CM No. 12236 of 2019

In

CWP NO. 12363 OF 2016

Genex Infratech Limited & Anr.

...Petitioner

Versus

State of Maharashtra and Ors.

...Respondents

Application under Section 151  
C.P.C. for permission to withdraw  
the above noted writ petition  
pending before this Hon'ble Court.

RESPECTFULLY SHOWETH:

1. That the above noted civil writ was filed by the petitioners before this hon'ble Court. The above mentioned writ petition is pending for 14.01.2020 for adjudication before this Hon'ble Court.

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CM-12236-CWP-2019 In/and  
CWP-12363-2016

Date of Decision: 29.08.2019

Genex Infratech Limited and another

...Petitioners

Vs.

State of Maharashtra and others

...Respondents

**CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA**

Present: Mr. S.K. Panwar, Advocate  
for the applicant/petitioner.

Mr. Namit Kumar, Advocate  
for respondent No.1/State of Maharashtra.

Ms. Simran Grewal, AAG Punjab.

**RAJIV NARAIN RAINA, J. (Oral)**

**CM-12236-CWP-2019**

Prayer in the application is for withdrawal of the present writ petition. The application is duly supported by an affidavit.

CM is allowed. The date in the main case is brought forward in view of the nature of the request.

**CWP-12363-2016**

The petition is dismissed as withdrawn.

29.08.2019

kv

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No

(RAJIV NARAIN RAINA)  
JUDGE

