

(39)
Fraudster Society

CWP No.15457 of 2012 (O&M)

H.C.Arora Vs. State of Punjab and others

Present: Mr. H.C.Arora, petitioner in person.

Mr. J.S.Puri, Addl. A.G., Punjab.

Mr. B.S. Rana, Addl. A.G., Haryana.

Mr. Vivek Salathia, Advocate,
for respondent No.5.

CM No.12813 of 2012

Application is allowed, as prayed for.

CM No.12814 of 2012

Application is allowed and in view of the facts mentioned in it,
Rashtree Sarv Sikhiya Abhiyan, S.C.F.-116(A), Shahi Majra Road,
Industrial Area, Phase-V, Mohali, through its office Incharge is impleaded
as respondent No.7 in this writ petition.

Senior Superintendent of Police, Mohali is directed to serve
notice upon the above said institution (respondent No.7) for 20.09.2012.

Copy of the notice be handed over dasti to the State counsel.

CWP No.15457 of 2012

The publication of documents Annexures P-1 and P-3 is not in
dispute. Reading of these documents clearly indicates that an attempt has
been made to mislead the general public by using name of the Government
of India.

 Counsel for respondent No.5 states that the society shall change
its name and move an application to the Registrar of Societies, Punjab
in this regard. It is further stated that respondent No.5 shall give an

advertisement on front page of the newspapers stating that the society is an independent institution and it has no concern so far as any programme of the the Government of India is concerned.

Photocopies of a certificate of registration of societies issued by the Additional Registrar of Societies, Amritsar and a certificate of registration termed as an ISO 9001:2008 allegedly issued by some government agency have been taken on record.

Adjourned to 20.09.2012.

In the meantime, it is directed that respondent No.5 shall not withdraw any amount from the bank which has been generated by inviting the applications.

(Jasbir Singh)
Acting Chief Justice

14.09.2012

vinod*

✓✓

(Rakesh Kumar Jain)
Judge

CWP No. 15457 of 2012 (O&M)

H.C. Arora, Advocate
Vs
State of Punjab and others

Present: Mr. H.C. Arora, Advocate (petitioner-in-person).

Mr. J.S. Puri, Addl. AG, Punjab.

Mr. B.S. Rana, Addl. AG, Haryana.

Mr. Rajbir Sehrawat, Advocate.

Mr. Vivek Salathia, Advocate,
for respondent No. 5.

Mr. Vijay Lath, Advocate,
for respondent No. 7.

Ms. Monika Jalota, Advocate,
for the applicant.

* * * *

C.M. No. 2262 of 2013

Exemption as prayed for is allowed and C.M. disposed of.

C.M. No. 2263 of 2013

The applicant is allowed to intervene in the matter.

Disposed of.

C.M. No. 2310 of 2013

The respondent No. 5 has produced the list of those persons from whom the money was collected. They are 11707 in number. Learned counsel for the respondent No. 7 submits that the respondent No. 5 is ready to refund the amount collected from each and every candidate. The amount collected is rather ₹ 300/- or 400/-

25

CWP No. 15457 of 2012 (O&M)

-2-

from each of the candidate. For this purpose, cheques would be drawn in favour of those candidates/applicants by the authorized signatory, who is authorized to operate the bank account(s) and the same would be dispatched to these persons within four weeks.

In order to ensure that cheques are issued in favour of these persons and are duly posted at the addresses given, the same would be done under the supervision of Mr. J.S. Puri, learned Additional Advocate General, Punjab and Mr. B.S. Rana, learned Additional Advocate General, Haryana, who shall be paid fee of ₹25,000/- each by the respondent No. 5.

C.M. disposed of with these directions.

CWP No. 15457 of 2012

As far as the respondent No. 7 is concerned, we are informed that the respondent No. 7 is taken into custody and is presently in Central Jail, Jalandhar in FIR No. 10 dated 21.01.2013, Police Station Adampur, Jalandhar.

Since his presence is required, the Superintendent Jail, Jalandhar/I.G. Prisons is directed to produce him in the Court under custody on the next date of hearing.

List on 25.03.2013.

(A.K. SIKRI)
CHIEF JUSTICE

(RAKESH KUMAR JAIN)
JUDGE

13.02.2013

Sharma Amogh
2013.02.14 12:59
I attest to the accuracy and
integrity of this document
Chandigarh

H.C.Arora Vs. State of Punjab & Ors.

Present: Mr. H.C.Arora, Petitioner in person.

Mr. J.S.Puri, Addl. A.G., Punjab.

Mr. Anil Rathee, Addl. A.G., Haryana.

Mr. Vivek Salathia, Advocate,
for respondent No.5.

Mr. Rajbir Sehrawat, Advocate.

In this writ petition filed as PIL, a very serious issue has been brought to the notice of this Court. It is stated that the respondent No.5 "Sarv Saksharta Computer Education Abhiyan" has got itself registered under the aforesaid name which has close resemblance to the Government instrumentality, namely, "Sarv Sikhya Abhiyan Authority, Punjab", besides it is using the words "Government of India" in its public notices as well as on its official website thereby misleading the public and unemployed persons as well pretending that it has a patronage of Government of India. It is stated that in this manner, respondent No.5 has collected huge amounts from gullible public.

The notice was issued to the respondent No.5 who appeared through counsel. Reply is also filed on behalf of respondent No.5 by one Sandeep Singh. The averments made in the petition are not denied instead framing ignorance and pleading innocence in this entire act, the respondent No.5 has shown remorse

for what is done. It is also stated that ₹46 lacs approximately was collected and respondent No.5 is ready to return the said amount to the persons from whom this money has been collected.

Learned counsel for respondent No.5 shall give the complete details of the persons along with their addresses etc. and also the amount received against the name of each such person within two weeks.

Similar averments are made qua respondent No.7 in the amended writ petition. Respondent No.7 was served through Senior Superintendent of Police, Mohali. However, no-body has put in appearance on behalf of respondent No.7 so far. Mr. Rajbir Sehrawat, Advocate, appears and he has made a statement at the bar that there is one organization with the name of "Rastriya Sarv Shiksha Abhiyan" which is a registered trust with its head-quarter in New Delhi. He is representing that trust. He further informs that his client had given franchise to one Sikandar Singh S/o Lt. Shri Rulda Singh, SCF No.116(A), Shahi Majra Road, Industrial Area, Phase-V, Mohali and said Sikandar Singh in fact represents respondent No.7. He also states that the franchise given to respondent No.7 was cancelled by his client on 07.06.2012.

For better assistance, we implead "Rastriya Sarv Shiksha Abhiyan (Regd.), 760, Raghuvars Plaza, 1st Floor, Main Road, Burari, Delhi-110084" as respondent No.8. Revised memo of parties shall

CWP-15457-2012 (O&M)

6
Kumar Vinod
2013.01.15 10:09
I attest to the accuracy and
integrity of this document
Chandigarh

[3]

be filed within 2 weeks.

Mr. J.S.Puri, Addl. A.G., Punjab submits that the aforesaid Sikandar Singh has also created one "Punjab Computer Educational Sanghathan" in Mohali.

To enforce the presence of respondent No.7, non-bailable warrants are issued against Mr. Sikandar Singh through the SHO, Police Station Mohali for service.

List on 29.01.2013.

(A.K.Sikri)
Chief Justice

January 11, 2013
vinod*

(Rakesh Kumar Jain)
Judge