



# Ansari Sugar Mills Ltd.

Mr. Hafiz Maqsood Munshi,  
Manager,  
Compliance and Securities Compliance –RAD,  
Pakistan Stock Exchange Limited,  
Stock Exchange Building,  
Stock Exchange Road,  
Karachi.

August 24, 2020

Dear Sir:

**Your Letter No. PSX/GEN- 1508 – Compliance Deadline – PSX/N-911 dated 13.08.2020-  
Restraining order passed by Hon'ble Court's dated 17.02.2020 -**

Reference your letter bearing Reference No. Your Letter No. PSX/GEN- 1508 – Compliance  
Deadline – PSX/N-911 dated 13.08.2020 and our meeting with you regarding subject matter, we  
are writing to state as follows:

That on 17.02.2020, the company received letter from Mr. Jam Asif Mehmood, Advocate  
Supreme Court, Senior Partner of LEX FIRMA, Advocates, Barristers & Legal Consultants, Karachi  
regarding filing of case by Mr. Anver Majid against the company bearing Suit No. 143 of 2020  
along with copy of the case and stay order dated 17.02.2020. It was, inter alia, stated as follows:

**"Thus in view of above discussion both the Defendants are directed to file their CA on  
Application under Order XXXIX Rule 1 and 2 CPC by the next date of hearing i.e. 25.02.2020  
meanwhile the Defendant No.1 (Ansari Sugar Mills Limited) is restrained from conducting the  
AGM till next date of hearing....." (copy already provided)**

The said Stay Order passed is continued from time to time and still in the field hence the Company  
was not able to conduct and hold the AGM. Please find attached copy of the order dated  
17.02.2020 passed by the Hon'ble Court as desired by you.

We hope you will understand our position regarding non submission of the accounts, which is  
not intentional or deliberate and it is only in compliance of Hon'ble Courts' orders hence we  
hereby request you to condone the same and shall not invoke the regulation stated by due  
keeping in view the peculiar circumstances of company.



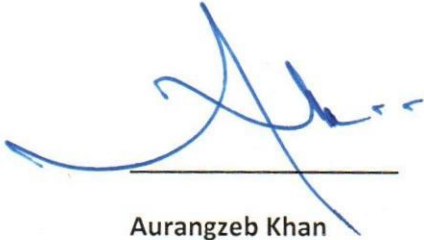
# **Ansari Sugar Mills Ltd.**

We will keep you informed the progress in the matter.

Thanking you in anticipation.

Yours truly

For and on behalf of Ansari Sugar Mills Ltd.



Aurangzeb Khan  
Director



**Ansari Sugar Mills Limited,**  
Having its office at State Life Building No. 10,  
CL, 5/4, Abdullah Haroon Road, Karachi.

February 17, 2020

Dear Sir:

**Mr. Anver Majid against the company bearing Suit No. 143 of 2020-  
Restraining order passed by Hon'ble Court's dated 17.02.2020-**

Reference the subject matter, we are writing to state as follows:

That we, for and on behalf of, Our Client i.e. Mr. Anver Majid filed suit against your company and SECP bearing Suit No. 143 of 2020 before the District Court at Karachi and the Hon'ble Court after hearing the parties passed the Stay Order, operative part of the Stay Order dated 17.02.2020 is as follows:

**".....Thus in view of above discussion both the Defendants are directed to file their CA on Application under Order XXXIX Rule 1 and 2 CPC by the next date of hearing i.e. 25.02.2020 meanwhile the Defendant No.1 (Ansari Sugar Mills Limited) is restrained from conducting the AGM till next date of hearing..... " (copy of the Suit, Stay Application and Order is attached)**

In view of the above, you are hereby informed that Ansari Sugar Mills Limited) is restrained from conducting the AGM till next date of hearing and if you violated the Stay Order passed by the Hon'ble Court then we have firm instructions for filing the Contempt of Court proceedings against the company and all its concerned board of directors/officers.

Take notice that in case the aforesaid proceedings become necessary, the same shall be instituted and pursued entirely at your risk, costs and peril.

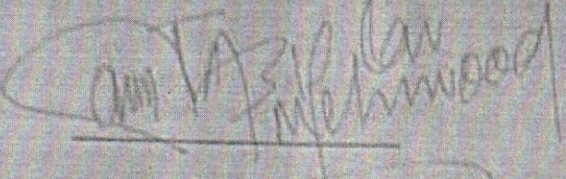
The notice is being served upon all of you on behalf of our client without prejudice to other rights and remedies which our client has availed or not yet availed but may avail under any law for the time being enforce.



The notice is being served through courier service and a copy is retained in our record for further reference and necessary legal actions.

Yours truly,

FOR AND ON BEHALF OF LEX FIRMA

  
**Jam Asif Mehmood**  
Advocate Supreme Court  
Senior Partner  
Head Litigation & Dispute Resolutio





**IN THE COURT OF SENIOR CIVIL JUDGE, AT KARACHI**

(Original Civil Jurisdiction)

Civil Suit No. 143 /2020

**Mr. Khawaja Anver Majid**, Son of Mr. Khawaja Abdul Majid, Resident of House No.17, Rani head, Clifton, Karachi, through his duly constituted attorney, **Mr. Shams** Son of Mr. Abdul Ghanl, Muslim, adult, holding CNIC No.42301-3503009-9, resident of House No.303, Tower B, Prime Residency, Civil Lines, Karachi

.....**PLAINTIFF**

**Versus**

1. **Ansari Sugar Mills Limited**, having its office at State Life Building No. 10, CL 5/4, Abdullah Haroon Road, Karachi.
2. **Securities and Exchange Commission of Pakistan**, State Life Building No. 2, Wallace Road, off I.I. Chundrigar Road, Karachi

.....**DEFENDANTS**

**SUIT FOR DECLARATION AND PERMANENT INJUNCTION  
ALONG WITH OTHER RELIEFS**

**The Plaintiff respectfully submits as under:**

1. That the addresses of the parties have been correctly supplied in the cause title of the plaint and are sufficient for the purpose of service of process of this Hon'ble Court on them.
2. That the instant suit is filed by the Plaintiff through his duly constituted attorney **Mr. Shams** Son of Mr. Abdul Ghanl, Muslim, adult, holding CNIC No.42301-3503009-9, resident of House No.303, Tower B, Prime Residency, Civil Lines, Karachi who is competent to institute the instant suit and to do all acts necessary or incidental for proper prosecution of the case and is well conversant with the facts of the case and has signed and verified this plaint.



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**(Special Power of Attorney dated 20.01.2020 is attached hereto and marked as Annexure "P")**

3. That the Defendant No. 1 is a company limited by shares and was incorporated, inter alia, to buy, sell, grow, plant, cultivate or otherwise acquire sugar cane, sugar, beets, fruits, vegetables and cereals of any variety on the company's own land or on land or on lands of others, on such and conditions as the company may deem fit from time to time and advance moneys and loans to the growers, farmers, land owners and contractors and provide them with seeds manure, machinery and or other facilities, on such terms and conditions as the company may deem fit and to consume all or any such grown owned or acquired sugar cane, sugar beet, fruits, vegetable or corn, or company's own undertakings or to dispose of supply, exporter sell all or any of these commodities to any dealers, distributors, manufactures, exporters and others on such terms and conditions as the company may deems appropriate.

**(True copies of Articles of Association and Memorandum of Association of the Defendant No. 1, certificate of incorporation, Form A made upto date 24.01.2018 along with secp acknowledgment, Form 29 are attached hereto and marked as Annexure "P/1" to "P/5)**

4. That the Defendant No. 2 is securities and exchanges commission of Pakistan, duly established under the SECP Act 1997, inter alia, to regulate the companies and corporate sector of the country and duty bound to perform its duties and functions as stated under said Act to safe guard interest of the members and shareholders of the companies and to ensure that that the Defendant No.1 shall follow the law but the Defendant No. 2 failed to perform the said duty.

5. That the Plaintiff is a CEO, Member, Director and holding 51.328% share holder of the Defendant No.1. Said position is reflecting through Form No. 6 submitted to the Defendant No. 2 under the Securities Act, 2015 under Section 103 (1) (b)/(c) of the said Act.

**(True copy of the said Form No. 6 dated 17.07.2018 is attached hereto and marked as Annexure "P/6)** 109

6. That the Plaintiff is behind the bar and facing Joint Investigation Team of FIA, Karachi.

**(True copies of the letters issued by the JIT are attached hereto and marked as Annexure "P/7" to "P/13")**

7. That the Plaintiff was/is a CEO, Member, Director and majority share holder of the Defendant No. 1 hence was looking after the corporate and financial affairs of the Defendant No.1 but subsequently due the his arrest by the JIT was not able to perform his said duties and having no access to company's record and financial documents.
8. That under the law, Plaintiff is entitled to receive the notice of the meetings and entitled to attend the said meetings through person or through proxies and to deliberate upon each and every item of the ordinary business and special business and may take his decision accordingly. But the Defendant No. 1 miserably, illegally, unlawfully, with some ulterior motives and on the behest of some other persons, in order to deprive the Plaintiff from exercising his lawful and constitutional guaranteed fundamental rights, failed to act in accordance with law hence the Defendant No. 1 is not entitled to hold the said



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AGM and approve the ordinary business and special business as

stated by the said company through its advertisement.

already filed Suit No. 639/2019 is Pending adjudication before VII Senior Civil Judge South at Karachian instant Suit

9. That the Defendant No. 2 is a regulator of the Defendant No. 1 is registering

but failed to perform its duty imposed under the law and failed AGM 2019/2020  
to take actions for protection of the rights and interest of the Plaintiff.

10. That the Plaintiff have no other option but to approach this Hon'ble Court seeking declaration and permanent injunction for protection of his rights and against the illegal acts, omission and actions of the Defendant No.1.

11. That the cause of action arose in favor of the Plaintiff and against the Defendants on 13.01.2020, when it comes into knowledge of the Plaintiff that the Defendant is going to hold AGM for 2019/2020 and on the same day when Plaintiff approached for supply of copies of accounts and other related information but was not responded and declined and 20.01.2020 when the Plaintiff appointed its attorney and attorney also approached the Defendants but no avail and still continue to exist due to non provisions of the same and being denied status and character of the Plaintiff as lawful, legal, equitable owner of the shares in the Defendant No. 1 and on account that the Defendant No.1 is going to take unlawful, illegal, arbitrary decisions in the proposed AGM of the year 2019/2020 hence this suit before this Hon'ble Court for protection of right and interest of the Plaintiff.

12. That the Defendant No.1 having its main place of business of business at State Life Building No. 10, CL 5/4, Abdullah Haroon Road, Karachi and Defendant No. 2 having its main office at State Life Building No. 2, Wallace Road, off I.I. Chundrigar road, Karachi which comes under the territorial jurisdiction of Police Station Saddar at Karachi hence, under Section 20(b) of



the Code of Civil Procedure 1908, this Honorable Court has the jurisdiction to adjudicate the matter.

13. That for the purpose of Court Fee the suit is valued for One Crore Rupees wherein the maximum Court Fee of Rs. 15,000/- (Rupees Fifteen Thousand Only) is being affixed with this plaint.

**PRAYER OF THE PLAINTIFF:**

For the above facts and circumstances, it is respectfully prayed that this Honorable Court may graciously:

- A. Direct the Defendants to produce the members/shareholders register, Form 29 and Form A and all other statutory record, notices issued to the shareholder, members for the AGM of 2019/2020;
- B. Declare that Plaintiff is holding 51.328% shares of the Defendant No.1 and being owner of these shares fully entitled to deals these shares in accordance with law;
- C. Declare that the Plaintiff is entitled to receive and examine through proxy or duly authorized attorney the relevant books of accounts of the Defendant;
- D. Declare that the Plaintiff is entitled to attend all the meetings and AGM of 2019/2020 through proxy or through attorney;
- E. Declare that Defendant No.1 shall not transact the ordinary business and special business unless notices, as required under the law, shall be duly served to all the members/shareholders of the Defendant No. 1;
- F. Permanently restrain the Defendants from holding AGM of 2019/2020;
- G. Permanently restrain, the Defendants from confirming the minutes of the EOGM and Meetings and accounts of the company during pendency of the suit;
- H. In the meanwhile, restrain the Defendants from holding AGM of 2019/2020, from confirming the minutes of the EOGM and



meetings and accounts of the company, during pendency of the suit;

- I. Cost of the suit may graciously be awarded to Plaintiff;
- J. Grant any other consequential relief(s) as this Hon'ble Court may deem fit and proper in the interest of justice.

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**PLAINTIFF**

**Through duly authorized attorney**

**Mr. Shams** Son of Mr. Abdul Ghani, Muslim, adult, holding CNIC No.42301-3503009-9, resident of House No.303, Tower B, Prime Residency, Civil Lines, Karachi

Through Counsel

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**JAM ASIF MEHMOOD**  
Advocate Supreme Court

### **VERIFICATION**

I, **Mr. Shams** Son of Mr. Abdul Ghani, Muslim, adult, holding CNIC No.42301-3503009-9, resident of House No.303, Tower B, Prime Residency, Civil Lines, Karachi, being duly constituted attorney of the Plaintiff, do hereby solemnly affirm on oath that whatever has been stated hereinabove, except the legal pleas which have been inserted on the instruction of legal counsel, is true and correct to the best of my knowledge and belief.

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**DEPONENT**

Through Counsel

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**ADVOCATE FOR THE PLAINTIFF**