

#44-46

% 02.12.2010

Present: Mr.Deepak Khosla in person.
Mr.A.S.Chandhiok, Sr. Advocate with Mr.Vibhu Bakhru,
Mr.Gurpreet Parwanda and Ms.Vibha Dharan, Advocates for
the Respondent.

+ Cont.Cas (Crl.) No.24/2009 & 2/2010 &
Crl.C.Ref. No.7/2009

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The note dated 29.10.2009 of Mr.S.Balasubramanian, the then Chairman, Company Law Board was sent to this court by the Secretary, Government of India Law Board vide his covering letter dated 09.11.2009 taking note of the same. Crl.C.Ref.7/2009 was registered and notice was issued to the respondent Mr.Deepak Khosla. During the pendency of this reference, Mr.Khosla moved Crl.M.A.No.13222/2010 for closure of the proceedings inter alia on the ground that in his meeting with Mr.S.Balasubramanian, Mr. Balasubramanian agreed to withdraw his note/reference. Response of Mr.S.Balasubramanian was sought thereupon. He has filed his affidavit dated 24.11.2010. Though it is accepted by him not to press his reference and recommends this court to consider dropping of proceedings, at the same time he has taken objections to some of the averments made in the application which according to him are the allegations against him. It is further stated in the said affidavit that in case Mr.Khosla withdraws those allegations, he would recommend this court to

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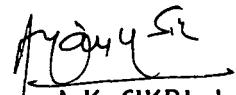
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favourably consider dropping of the proceedings. Mr.Khosla today has made a statement in the court on Oath withdrawing those allegations.

In view of unconditional apology tendered by Mr.Khosla and also having regard to the nature of averments made by Mr.S.Balasubramanian in his note dated 29.10.2009, we deem it proper that this matter be given a quietus. We, thus, accept the unconditional apology of Mr.Khosla and drop these proceedings.

Matters as well as all pending applications stand disposed of in view of aforesaid terms.


A.K. SIKRI, J.


SURESH KAIT, J.

DECEMBER 02, 2010
'nks'

- Crl.M.A - 7497/11 - for restoration of petition.