

Sr. No.228

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP NO.7195-2016(O&M)

Date of Decision: 15.11.2016

Jaswinder Singh Kapoor

.....Petitioner

vs.

SEBI and others

.....Respondents

CORAM HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present:- Mr. Rajansh Thukral, Advocate for the petitioner.
Mr. Mayur Kanwar, Advocate for respondent no.1.
Mr. Atul Goyal, Advocate for respondent no.3.
Mr. O.P.Goyal, Sr. Advocate
with Ms. Sunita Gupta, Advocate for respondent no.4.

-:-

RAMESHWAR SINGH MALIK, J

Feeling aggrieved against the complaint dated 14.10.2015 (Annexure P8), made by Ludhiana Stock and Capital Limited, petitioner has approached this Court by way of present writ petition under Article 226 and 227 of the Constitution of India, seeking a writ of mandamus directing respondents no.1 and 2 to revoke the order dated 14.10.2015 (Annexure P8) or decide the representation dated 30.10.2015 (Annexure P10) read with subsequent correspondence (Annexure P11 and P12).

Notice of motion was issued.

Learned counsel for the petitioner, at the very outset, fairly states that limited relief which has been claimed by the petitioner at this stage, is only a writ of mandamus directing respondent no.1 to consider the grievance already raised by the petitioner, by way of self contained

representation dated 30.10.2015 (Annexure P-10) and decide the same at an

early date by passing an appropriate order thereon.

Learned counsel for the respondents also fairly state that they are not averse to issuing such a direction to respondent no.1.

In view of the above and without expressing any opinion on the merits of the case, lest it should prejudice the rights either of the parties, present writ petition is disposed off with a direction to the Chairman, Securities Exchange Board of India – respondent no.1 to look into the matter, consider the grievance raised by the petitioner in his representation dated 30.10.2015 (Annexure P10) and decide the same at an early date, by passing an appropriate order thereon strictly in accordance with law, but in any case within a period of three months from the date of receipt of certified copy of this order.

However, in the peculiar facts and circumstances of the case, it is also directed that respondent no.1 shall grant an opportunity of being heard to all the would be affected parties, before passing an appropriate order on the above said representation of the petitioner.

Resultantly, with the above said observations made and directions issued, present writ petition stands disposed off.

(RAMESHWAR SINGH MALIK)
JUDGE

November 15, 2016
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No