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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4466/2017 and CM Nos. 19480/2017 & 35411/2017**

VIS RAM FINANCIAL SERVICES P LTD Petitioner
Through: Mr K. Subramaniam, Advocate.

versus

THE INSTITUTE OF CHARTERED
ACCOUNTANTS OF INDIA & ORS Respondents
Through: Ms Pooja M. Saigal, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **27.11.2017**

1. The principal grievance of the petitioner in this petition is that its complaint dated 23.04.2014, filed in respect of alleged professional misconduct of respondent nos. 3 and 4, has not been effectively processed by the concerned authorities of the Institute of Chartered Accountants of India (hereafter 'ICAI').
2. The learned counsel appearing for the petitioner has pointed out that the Director (Discipline) has yet not complied with Rule 9 of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 (hereafter 'the said Rules'), which merely requires him to examine the complaint and form a *prima facie* view.
3. Ms Saigal, learned counsel appearing for ICAI, submits that the petitioner's complaint was examined by the Director (Discipline) and on 22.08.2017 he expressed his *prima facie* opinion that there was misconduct on the part of the Chartered Accountants (Respondent Nos. 3 and 4) named

by the petitioner in his complaint. The said opinion was considered by the Disciplinary Committee on 16.10.2017 and the matter was remanded to the Director (Discipline) for conducting further investigations in terms of Rule 9(c) of the said Rules. She further states that the said investigation would be definitely completed within a period of three weeks from today.

4. The said statement is taken on record. Given that considerable period has already elapsed, this Court directs the Disciplinary Committee to take a final view in terms of Rule 9 of the said Rules within a period of three weeks of receipt of the opinion from the Director (Discipline). The concerned authority shall endeavour to complete further disciplinary proceedings (if any) as expeditiously as possible.

5. No further orders are required to be passed at this stage. Accordingly, the petition and the pending applications are disposed of.

VIBHU BAKHRU, J

NOVEMBER 27, 2017
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