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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4554/2019

SH. ABHIMANYU SINGH

..... Petitioner

Through: Mr Sanchit Kumar, Advocate.

versus

THE INSTITUTE OF CHARTERED ACCOUNTANTS
OF INDIA

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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01.05.2019

CM No.20276/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 4554/2019

2. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondent (Institute of Chartered Accountants-hereafter 'ICAI') for the speedy disposal of the complaint.

3. The petitioner states that on 05.04.2016, he had filed a complaint against Saurabh Sundarka, a member of ICAI, with ICAI. It is the petitioner's grievance that the said complaint has not been processed, and a, *prima facie*, opinion has not been formed on the said complaint.

4. The petitioner states that it sent various mails to ICAI seeking information regarding the status of his complaint. ICAI responded to one such e-mail on 07.06.2018, informing the petitioner that his complaint is

under process, in terms of Rule 9 of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007. The petitioner was informed that the said complaint was at the stage of formation of a, *prima facie*, opinion by the Director (Discipline), and the matter would be taken up by the appropriate authority as and when the, *prima facie*, opinion is placed before it.

5. It is seen that almost three years have elapsed since the petitioner had filed a complaint.

6. In view of the above, the present petition is allowed and the Director (Discipline) of ICAI is directed to consider the petitioner's complaint in accordance with law and place his, *prima facie*, opinion before the concerned authority as expeditiously as possible, and in any event not later than three months, from today. The concerned authority shall also take the necessary steps in accordance with law, as expeditiously as possible.

VIBHU BAKHRU, J

MAY 01, 2019
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