

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.3143 OF 2020

ORDER

This writ petition is filed seeking the following relief:

“to issue writ of mandamus or any other appropriate writ order or direction declaring the action of respondents in issuing Notice No.ROCH/KSBL/2019/2410, dated 03.12.2019, Notice No.ROCH/KSBL/AROC(S)/2019/2721 dated 14.01.2020, Notice No.ROCH/KSBL/AROC(S)/2019/2795, dated 24.01.2020 is in contravention of the provisions of the Companies Act, 2013 and is illegal arbitrary and unconstitutional (ii) Set aside Notice No. ROCH/KSBL/2019/2410 dated 03.12.2019, Notice No. ROCH/KSBL/AROC(S)/2019/2721, dated 14.01.2020, Notice No.ROCH/KSBL/AROC(S)/2019/2795, dated 24.01.2020 issued by respondents (iii) pass such other order or orders as this Hon'ble Court may deem fit and proper in view of the fact and circumstances of the case in the interest of justice.”

Heard learned counsel on either side.

Petitioner is a Karvy Stock Broking Limited. The respondents have initiated proceedings under Section 206 (1) of the Companies Act, 1956 (for short 'the Act') and issued notice to the petitioner-company on 14.01.2020. The petitioner-company requested the respondents to grant some more time and thereafter, submitted explanation on 3.2.2020.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to proceed with the enquiry by duly taking into consideration the explanation submitted by the petitioner on 3.2.2020 and conclude the same as early as possible.

Learned Assistant Solicitor General appearing for the respondents contended that the respondents would take into consideration the explanation submitted by the petitioner on 3.2.2020 and proceed with the enquiry in accordance with law, after giving opportunity to the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the respondents to proceed with the enquiry initiated against the petitioner under Section 206(1) of the Act by duly taking into consideration the explanation submitted by the petitioner-company and conclude the enquiry as expeditiously as possible, preferably, within a period of six months, from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 14.2.2020
rkk

