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

+ **W.P.(C) 11456/2023**

SANDEEP GOVINDAN

..... Petitioner

Through: Petitioner-in-person

versus

BOARD OF DISCIPLINE & ORS.

..... Respondents

Through: Mr. D. Bhattacharyya and Ms. Deeti
Ojha, Advocates for R-2 and 3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

09.04.2024

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1. The Petitioner has approached this Court challenging an Order dated 29.10.2020 passed by the Board of Discipline, Institute of Company Secretaries of India. The Petitioner is aggrieved by certain findings made in paragraph 5 of the impugned order which reads as under:-

“5. The Director (Discipline] vide prima fade opinion doled 18th September, 2020, opined (hot it is ostensibly clear that the allegations or the grievances, if any of the Complainant are against the Company from which the Complainant has been terminated as on employee. The allegations/grievances ore nothing but the consequences of the dispute of the Complainant with the management of M/s. Renault Nissan Technology and Business Centre Indo Private Limited and it is a matter between the employer and the employee. The action of the Complainant is apparently on attempt to extort favour from the Company and consequently, the Respondent is being dragged into this matter,



aberrantly. There is no substance in the complaint which leads the Respondent responsible and therefore. the Respondent is prima facie 'Not Guilty' of professional or other misconduct under the Company Secretaries Act, 1980. "

2. The Petitioner states that the observations made by the Disciplinary Committee that the Petitioner has filed the present complaint only because of the grievances of the Petitioner against the company is not borne out of the records of the Disciplinary Authority and the Disciplinary Authority could not have made any adverse comments on the intentions of the Petitioner to file the complaint before the Institute of Company Secretaries of India.
3. This Court finds substance in the grievance of the Petitioner. It is made clear that all the observations made in the impugned order casting personal aspersions on the Petitioner will stand removed and will not come in his way in any other proceedings pending (by or against) the Petitioner.
4. With these observations, the writ petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

APRIL 9, 2024

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