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

+ **W.P.(C) 9311/2024 & CM APPL. 38134/2024**

**M/S ANURAG AGARWAL (HUF) THROUGH ITS KARTA,
ANURAG AGARWAL**

.....Petitioner

Through: Mr. Ravi Kapoor and Mr. Rishav
Ambasth, Advocates.

versus

**DISCIPLINARY DIRECTORATE, THE INSTITUTE OF
CHARTERED ACCOUNTANTS OF INDIA & ORS.**

.....Respondents

Through: Mr. Harsh Pathak, Ms. Shaveta
Mahajan and Mr. Mohit Choubey,
Advocates for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

10.07.2024

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1. Petitioner instituted disciplinary proceedings against Respondent No. 3 before Respondents No. 1 and 2, bearing Ref. No. PR-413/2021-DD/12/2022 titled '*M/s Anurag Agarwal HUF Through its Karta Anurag Agarwal vs M/s Mehra Sanjay & Co.*'

2. Petitioner submits that Respondent No. 1, through its Prima Facie Opinion dated 24th February, 2024¹, has found Respondent No. 3 to be *prima facie* guilty of 'Professional Misconduct' within the meaning of Item 7 of Part I of Second Schedule of the Chartered Accountants Act, 1949. The allegations which have been upheld by Respondent No. 1 pertain to serious and grave nature of misconduct. Further, it is submitted that the Respondent No. 2 concurred with the PFO and proceeded further against Respondent

¹ "PFO"



No. 3 under Chapter V of the Chartered Accountants (Procedure of Investigation of Professional and Other Misconduct and Conduct of Cases) Rules, 2007², as informed to the Petitioner *vide* letter dated 9th May, 2023. The first date of hearing before Respondent No. 2 was held on 09th June, 2023, however, Respondent No. 2 has failed to fix any next date of hearing in terms of Rule 18(9) of the Rules for examination of witnesses and production of documents.

3. Petitioner alleges that their efforts to follow up through various emails have been of no avail, and Respondents No. 1 and 2 have failed to hold further proceedings, despite being liable to proceed for hearing in terms of Rule 18(9) of the Rules. In such circumstances, the limited being prayed through the instant petition is for the Court to direct Respondents No. 1 and 2 to expeditiously decide and dispose of the pending proceedings in a time-bound manner.

4. Issue notice. Mr. Harsh Pathak, counsel for Respondents No. 1 and 2, accepts notice.

5. At the outset, Mr. Pathak states on instructions that the aforementioned proceedings shall be adjudicated within a period of six months from today.

6. In light of the statement made by Mr. Pathak, which shall bind Respondents No. 1 and 2, the present petition is disposed of, along with pending application.

SANJEEV NARULA, J

JULY 10, 2024/d.negi

² “Rules”