

ML 28
08.01.2025
Ct. 14
BP/AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 26984 of 2023

**Sankar Tea Company Private Limited & Anr.
-versus
Securities and Exchange Board of India & Ors.**

**Mr. Varun Kothari.
Mr. S. Jhunjhunwala.
...For the Petitioners.**

**Mr. Mayank Shah.
... For the SEBI.**

1. None represents the respondent nos. 3 and 4.
2. The petitioners claim to be owners of 3000 shares of TISCO. The share certificates got lost on 13th November, 1992. A complaint was lodged before the Police Station with intimation to the company.
3. Prayer has been made to direct the company to issue duplicate share certificates.
4. It appears that a Title Suit was filed by a third party claiming title to the said shares. The said Suit stood dismissed for default.
5. As on date the shares are still standing in the name of the petitioners and there is no valid claim from any third party over the said share certificates.
6. The petitioners rely upon the order dated 15th May, 2024 passed by a Coordinate Bench of this Court in **WPA 25592 of 2023. (Industrial Fiscal Services Limited & Anr. -Vs- Union of India & Ors.)** where, under similar circumstances, the Court was pleased to direct the respondent authority to issue duplicate share certificates.

7. As it appears that the facts of the present case are similar to the facts of the case in the matter of Industrial Fiscal Services Limited (supra), accordingly, the instant writ petition is disposed of by directing the respondent nos. 3 and 4 to issue duplicate share certificates in respect of the subject shares, details of which are mentioned in paragraph 4 of the writ petition, in favour of the petitioners subject to the petitioners complying all the necessary legal formalities for obtaining the same at the earliest but positively within a period of four weeks from the date of compliance of all necessary formalities.
8. The writ petition stands disposed of.
9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)