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

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Date of Decision: 13.01.2026+ **LPA 197/2022****MOHIT BANSAL**

.....Appellant

Through: Mr. Kailash Vasdev, Senior Advocate
alongwith Ms. Divya Bansal,
Advocate with Petitioner-in-Person.

versus

**INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA &
ORS.**

.....Respondents

Through: Ms. Pooja Mehra Saigal, Senior
Advocate along with Mr. Ankit Mittal
and Ms. Ananya Choudhary,
Advocates for R-1/ICAI.
Mr. Farman Ali, CGSC for UoI.**CORAM:****HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****TEJAS KARIA, J. (Oral)**

1. The Appellant has filed the present Appeal challenging the order dated 21.01.2022 ("**Impugned Judgement**") passed by the learned Single Judge of this Court in W.P. (C) 6819/2020 ("**Writ Petition**").
2. The Appellant is a qualified Chartered Accountant and member of Respondent No.1, the Institute of Chartered Accountants of India. The Writ Petition was filed seeking quashing and setting aside of the Show Cause Notice ("**SCN**") dated 14.09.2020 issued by Respondent No. 1. *Vide* Impugned Judgement, the learned Single Judge of this Court dismissed the Writ Petition.



3. Accordingly, the present Appeal was filed on 21.02.2022 challenging the Impugned Judgement. During the pendency of the present Appeal, Respondent No. 1 conducted the hearing pursuant to the SCN on 29.08.2022 and passed an order dated 01.03.2023 removing the name of the Appellant from the Register of Members under the Chartered Accountants Act, 1949.
4. The Appellant filed CM Application 1127/2023 seeking amendment of the present Appeal challenging the order dated 01.03.2023. The said Application was allowed *vide* order dated 13.09.2023 and the Appellant was permitted to amend the present Appeal without prejudice to the rights and contentions of the Respondents. Accordingly, the present Appeal has been amended to include the challenge to the order dated 01.03.2023 in this Appeal.
5. During the course of the hearing of the present Appeal, it was pointed out to the Appellant that without challenging the order dated 01.03.2023 before the learned Single Judge by way of a Writ Petition, this Court in Appeal would not be able to entertain the challenge directly against the order dated 01.03.2023. Accordingly, at the request of this Court, Mr. Kailash Vasudev, Senior Advocate, who was present in the Court, agreed to appear for the Appellant to assist this Court on this issue.
6. Mr. Kailash Vasudev, learned Senior Counsel submitted that pursuant to order dated 13.09.2023, the present Appeal was permitted to be amended to include the challenge to the order dated 01.03.2023, which was passed relying upon the Impugned Judgement as basis for removing the Appellant from membership of Respondent No. 1.



7. However, Mr. Vasudev, on instruction of the Appellant, who is present in the Court, submitted that the Appellant is willing to withdraw the present Appeal with a liberty to approach the learned Single Judge by way of filing a Writ Petition challenging the order dated 01.03.2023 and requested that the learned Single Judge may be requested to decide the Writ Petition expeditiously.

8. The learned Senior Counsel for Respondent No. 1 has no objection to the request made on behalf of the Appellant, however she requested that all rights and contentions of the Parties may be kept open.

9. Accordingly, the present Appeal is dismissed as withdrawn with a liberty to the Appellant to approach the learned Single Judge to challenge the order dated 01.03.2023. If such Writ Petition is filed, the same shall be decided without being influenced by the observations made in the Impugned Judgement and will be decided on its own merits. We request the learned Single Judge to hear and decide the Writ Petition, if filed, as expeditiously as possible, preferably within a period of six months. Needless to state that all the rights and contentions of the Parties are kept open and we have not expressed any opinion on the merits of the case. We record our appreciation for Mr. Kailash Vasudev, Senior Advocate for his assistance.

10. The Appeal stands disposed of in the aforesaid terms.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

JANUARY 13, 2026/ 'A'