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

+ W.P.(C) 6862/2024 & CM APPLs. 28639/2024, 28640/2024

DINESH YASHAWANT SUPEKAR

..... Petitioner

Through: Mr. Mukul Rohatgi, Sr. Advocate
with Mr. V.P. Singh, Mr. Kamal
Shankar, Mr. Allwyn, Mr. Gautam
Varma, Mr. Atul N. and Mr. Arjun
Narang, Advocates.

versus

DISCIPLINARY COMMITTEE BENCH V THE INSTITUTE OF
CHARTERED ACCOUNTANTS OF INDIA & ANR.

..... Respondents

Through: Mr. Ramji Srinivasan, Sr. Advocate
with Ms. Pooja M. Saigal, Ms. Nipun
Gupta and Mr. Ishank Jha, Advocates.

+ W.P.(C) 6863/2024 & CM APPLs. 28641/2024, 28642/2024

NEERAJ KUMAR GUPTA

..... Petitioner

Through: Mr. Dayan Krishnan, Sr. Advocate
with Mr. V.P. Singh, Mr. Kamal
Shankar, Mr. Gautam Varma, Mr.
Atul N. and Mr. Arjun Narang,
Advocates.

versus

DISCIPLINARY COMMITTEE BENCH V THE INSTITUTE OF
CHARTERED ACCOUNTANTS OF INDIA & ANR.

..... Respondents

Through: Mr. Ramji Srinivasan, Sr. Advocate
with Ms. Pooja M. Saigal, Ms. Nipun
Gupta and Mr. Ishank Jha, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD



ORDER
17.05.2024

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1. The Petitioners have approached this Court challenging the Orders dated 22.01.2024 and 08.05.2024 passed by the Respondent/ICAI.
2. In an identical case, i.e., CA Bhupendra Singh Narayan Singh Rajput v. The Director (Discipline), Institute of Chartered Accountant of India & Anr., W.P.(C) 5329/2024, wherein a Coordinate Bench of this Court on 15.04.2024, has passed the following order:-

“2. The petitioner has challenged order dated 23.01.2024 passed by the Disciplinary Committee of the Institute of Chartered Accountants of India. Learned counsel for respondent no. 1 who has appeared on advance notice does not deny that currently, office of the Chairperson of the appellate authority is lying vacant, due to which jurisdiction of this court has been invoked. The order impugned in this writ petition is amenable to appellate scrutiny. Learned counsel for respondent no. 1 further explains that effect to the impugned punishment order can be given only by respondent no. 1 and he has instructions to assure that till the stay application in appeal filed by the petitioner is heard, the impugned punishment order shall not be implemented.

3. Accordingly, as requested by both sides, the present petition is disposed of with the directions that till the preliminary hearing of appeal filed by the petitioner, the impugned punishment order dated 23.01.2024 shall not be implemented. All pending applications accordingly stand disposed of.”

3. This said order shall *mutatis mutandis* apply to the Petitioners herein.
4. Liberty is granted to the Petitioners to approach this Court in case the order is violated.



5. With these observations, the petitions are disposed of along with pending application(s), if any.

MAY 17, 2024

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SUBRAMONIUM PRASAD, J