



THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA
(Set up by an Act of Parliament)

[PR/327/2021/DD/336/2021/BOD/793/2025]

ORDER UNDER SECTION 21A (3) OF THE CHARTERED ACCOUNTANTS ACT, 1949 READ WITH RULE 15 (1) OF THE CHARTERED ACCOUNTANTS (PROCEDURE OF INVESTIGATIONS OF PROFESSIONAL AND OTHER MISCONDUCT AND CONDUCT OF CASES) RULES, 2007

IN THE MATTER OF:

CA. Manoj Harivadan Lekinwala

Plot No. 206/2, Sector 21

Near P.O, District Shopping Centre

Gandhinagar.....Complainant

Versus

CA. Amit Kumar Jitendrabhai Joshi (M. No.120022)

M/s J. Singh & Associates

C-301, Titanium Business Centre,

Anand Nagar Road, Near Sachin Tower, Satellite

Ahmedabad.....Respondent

[PR/327/2021/DD/336/2021/BOD/793/2025]

MEMBERS PRESENT (THROUGH VIDEO CONFERENCE):

CA. Rajendra Kumar P, Presiding Officer

Ms. Dolly Chakrabarty (IAAS, ret'd.), Government Nominee

CA. Priti Savla, Member

Date of hearing and passing of Order: 30th December 2025

1. The Board of Discipline vide its findings dated 08th December 2025 was of the view that CA. Amit Kumar Jitendrabhai Joshi (M. No.120022) is **GUILTY** of Professional Misconduct falling within the meaning of Item (8) of Part-I of the First Schedule to the Chartered Accountants Act, 1949.
2. An action under Section 21A (3) of the Chartered Accountants Act, 1949 was contemplated against CA. Amit Kumar Jitendrabhai Joshi (M. No. 120022) and communication dated 19th December 2025 was addressed to him thereby granting him an opportunity of being heard on 30th December 2025 which was exercised by him by being present through video conferencing. He confirmed receipt of the findings of the Board and made his submissions.
3. Accordingly, after due deliberation and having regard to the nature of the consequent misconduct, the Board hereby resolves to impose a **Fine of Rs. 25,000/- (Rupees Twenty-Five Thousand only)** upon **CA. Amit Kumar Jitendrabhai Joshi (M.No.120022)**.

Sd/-

CA. Rajendra Kumar P

(Presiding Officer)

सत्यापित होने के लिए प्रमाणित / Certified to be True Copy

Sd/-

Ms. Dolly Chakrabarty (IAAS, ret'd.)
(Government Nominee)

Sd/-

CA. Priti Savla
(Member)

विश्वनाथ तिवारी / Bishwa Nath Tiwari
कार्यकारी अधिकारी / Executive Officer
अनुशासनात्मक निदेशालय / Disciplinary Directorate
भारतीय सनदी लेखाकार संस्थान
The Institute of Chartered Accountants of India
आई.सी.ए.आई. भवन, सी-1, सेक्टर-1, नोएडा-201301 (उ.प्र.)
ICAI Bhawan, C-1, Sector-1, Noida-201301 (U.P.)

CA. Manoj Harivadan Lekinwala -Vs- CA. Amit Kumar J Joshi (M. No.120022)

BOARD OF DISCIPLINE

(Constituted under Section 21A of the Chartered Accountants Act 1949)

FINDINGS OF THE BOARD OF DISCIPLINE UNDER RULE 14 (9) OF THE CHARTERED ACCOUNTANTS (PROCEDURE OF INVESTIGATIONS OF PROFESSIONAL AND OTHER MISCONDUCT AND CONDUCT OF CASES) RULES, 2007

CORAM: (PRESENT IN PERSON):

CA. Rajendra Kumar P, Presiding Officer
Ms. Dolly Chakrabarty, Government Nominee
CA. Priti Savla, Member

IN THE MATTER OF:

CA. Manoj Harivadan Lakinwala
Plot No. 206/2, Sector 21
Near P.O, District Shopping Centre
Gandhinagar.....

Complainant

-Versus-

CA. Amit Kumar J Joshi (M. No.120022)
M/s J. Singh & Associates
C-301, Titanium Business Centre,
Anand Nagar Road, Near Sachin Tower, Satellite,
Ahmedabad.....

Respondent

Date of Final Hearing : 03rd November 2025
Place of Final Hearing : ICAI Tower, Mumbai

PARTY PRESENT (IN PERSON):

Complainant : CA. Manoj Lakinwala

FINDINGS:

BACKGROUND OF THE CASE:

1. The present case arises out of a professional dispute concerning the appointment of statutory auditors and the observance of ethical obligations under the Chartered Accountants Act and the Code of Ethics prescribed by the Institute of Chartered Accountants of India (ICAI). The Complainant, along with M/s G J K & Associates, had jointly served as the statutory auditors of M/s Gandhinagar Leasing and Finance Ltd. for the financial years 2013-14 and 2014-15. According to the Complainant, despite the completion of the audit work for the said years, the Company failed to discharge its liability towards the undisputed professional fees payable to the joint auditors.

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2. Subsequently, on 31st December 2015, the Respondent firm was appointed as the incoming statutory auditor of the said Company. The Complainant alleges that the Respondent accepted the audit assignment without prior communication with the outgoing auditors, as mandated under the Code of Ethics issued by the ICAI. Such prior communication is a fundamental professional requirement intended to ensure transparency, avoid professional misunderstandings, and uphold the integrity of the auditing profession. The failure to adhere to this ethical obligation, coupled with the unresolved issue of unpaid professional fees, forms the basis of the Complainant's grievance. The matter, therefore, revolves around an alleged breach of professional conduct and ethical standards by the Respondent firm in the process of accepting the audit engagement.

CHARGES ALLEGED:

3. That the Respondent has not communicated with the outgoing auditors of the Company before accepting his appointment as statutory auditor on 31st December 2015 for the Financial Year 2015-16.
4. That the Respondent has accepted the appointment as incoming statutory auditor for the company on 31st December 2015, for FY 2015-16 without ensuring the payment of undisputed audit fee to the complainant (outgoing auditor) by the company.

BRIEF OF PROCEEDINGS HELD:

5. The details of the hearing fixed and held in the instant matter are given as below:

S. No.	Date of Hearing	Status of hearing
1.	29 th July 2025	Adjourned due to non-appearance of parties.
2.	03 rd November 2025	Matter Heard and Concluded.

BRIEF SUBMISSIONS OF THE PARTIES:

6. In response to the Disciplinary Directorate's communication dated 03rd February 2025, the Respondent firm, M/s J Singh & Associates, submitted its written statement on 27th February 2025, refuting the allegations of professional misconduct. The Respondent contended that due communication had indeed been made with the outgoing auditors through an email dated 09th December 2015, and that a personal confirmation along with a No Objection Certificate (NOC) was later obtained from one of the partners on 01st December 2021. Copies of the said email correspondence and NOC were enclosed as supporting evidence. The Respondent further denied any breach of professional ethics, asserting that the complaint was driven by personal motives and financial considerations rather than genuine professional concerns. It was submitted that the audit assignment had been undertaken under pressing circumstances, as the previous auditors had failed to act promptly, exposing the company to possible regulatory action from the Reserve Bank of India (RBI). The Respondent also claimed that no financial benefit had accrued to them from the audit engagement.
7. With respect to the alleged unpaid audit fee of Rs. 3.30 Lakh, the Respondent termed the claim baseless and misleading, stating that the agreed audit fee was only Rs. 15,000/-, which had already been paid by the company. Nevertheless, as a gesture of goodwill and to amicably resolve the matter, the Respondent expressed willingness to offer Rs. 25,000/-, as a voluntary contribution, not as an acknowledgment of liability but to prevent further unproductive proceedings. The Respondent concluded by urging to consider their



submissions and supporting documents impartially, assuring full compliance with any directions issued by the disciplinary authority.

8. In reply, the Complainant, through a rejoinder dated 07th March 2025, categorically denied the Respondent's claims and challenged the authenticity of the alleged email communication and NOC. The Complainant alleged that the documents produced were fabricated, noting that despite repeated requests particularly in their email dated 28th December 2021, the Respondent failed to provide any verifiable proof of the alleged correspondence. It was further stated that Mr. Jayesh Patel of M/s. G J K & Associates had issued a NOC only on the Respondent's verbal assurance and based on an email printout shown informally, not on actual communication. This was later clarified by G J K & Associates in their letter dated 25th February 2022, highlighting inconsistencies in the Respondent's version.
9. The Complainant denied any motive of personal or financial gain, reiterating that the outstanding amount of Rs. 3,30,437/-, was accurately reflected in the company's books as unpaid professional fees, and no payment had ever been received. It was further alleged that audit reports for the financial years 2016–2020 were irregularly backdated and that the corresponding UDINs were generated years later in 2021, suggesting that the reports were not genuinely executed in the claimed period. The Complainant also asserted that the company had not maintained books of account beyond 31st March 2015, making any subsequent audits improper and non-genuine. Consequently, the Respondent's justification of having acted to ensure RBI compliance was deemed false and unsupported by evidence. The Complainant further refuted the Respondent's reliance on the company director's alleged confirmation regarding payment of dues, stating that company records from FY 2013–14 to FY 2019–20 clearly reflected no such payments to the previous auditors. In sum, the Complainant contended that the Respondent's defence was misleading, inconsistent, and contrary to the documentary record, thereby reinforcing the allegations of professional misconduct.

OBSERVATIONS OF THE BOARD:

10. At the outset, the Board noted that out of two allegations originally levelled against the Respondent, the Director (Discipline) while forming his Prima Facie Opinion dated 19th December 2024, exonerated the Respondent from Second charge for the reasons as contained in the said PFO and accepted & concurred by the Board of Discipline in its 335th meeting held on 19th January 2025, therefore, the Board has confined its inquiry limited to the charge under Item (8) of Part-I of the First Schedule to the Chartered Accountants Act, 1949.
11. The Board then focused on the charge which pertains to the Respondent's acceptance of the statutory audit assignment of M/s Gandhinagar Leasing and Finance Ltd. for the financial year 2015–16 without establishing due communication with the outgoing auditors, as mandated under Item (8) of Part-I of the First Schedule to the Chartered Accountants Act, 1949. The Respondent relied upon an email dated 09th December 2015, allegedly sent to the outgoing auditors, and a subsequent letter dated 01st December 2021, issued by M/s G J K & Associates, to substantiate that prior communication had indeed been made. However, the authenticity and credibility of these documents were called into question by the Complainant, who produced a later communication dated 25th February 2022, from M/s G J K & Associates clarifying inconsistencies in the earlier correspondence. It was further observed that the partner to whom the email was allegedly addressed, Mr. G J Raghvani, had passed away on 15th April 2021, making verification of the purported email exchange impossible. Additionally, discrepancies such as alterations in dates, absence of verifiable email metadata, and conflicting statements from the joint

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auditors cast serious doubt on the Respondent's claim of having duly communicated with the outgoing auditors prior to acceptance of the audit engagement.

12. The Board further observes that, based on the material on record, the Respondent's No Objection Certificate (NOC) appears to have been obtained after or contemporaneous with his appointment as auditor, rather than prior to it, thereby contravening the ethical requirement of obtaining prior written communication and consent before accepting an audit assignment. The evidence also suggests that certain audit reports were backdated, and corresponding filings such as ADT-1 and AOC-4 were made in later years, indicating procedural irregularities and lack of professional diligence. Such conduct reflects a serious lapse in professional judgment and due care expected of a member of the Institute.
13. After careful examination of the records, documents, and submissions made by both the Complainant and the Respondent, the Board is of the considered view that the Respondent has failed to uphold the standards of professional conduct expected of a Chartered Accountant under the Chartered Accountants Act, 1949 and the Code of Ethics prescribed by the Institute of Chartered Accountants of India (ICAI).
14. In light of the foregoing, the Board concludes that the Respondent, by accepting the statutory audit assignment without proper prior communication with the outgoing auditors, has violated the provisions of Item (8) of Part-I of the First Schedule to the Chartered Accountants Act, 1949.

CONCLUSION:

15. Thus, in conclusion, in the considered opinion of the Board, the Respondent is held '**Guilty**' of Professional Misconduct falling within the meaning of Item (8) of Part-I of the First Schedule of the Chartered Accountants Act 1949.

Sd/-

CA. Rajendra Kumar P
Presiding Officer

Sd/-

Dolly Chakrabarty, IAAS (Retd.)
Government Nominee

Sd/-

CA. Priti Savla
Member

Date:08-12-2025

साध्यापित होने के लिए प्रमाणित / Certified to be True Copy

Charan Singh
Charan Singh / Charan Singh
कार्यकारी अधिकारी / Executive Officer
अनुशासनात्मक निदेशालय / Disciplinary Directorate
भारतीय सनदी लेखाकार संस्थान
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