

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Case (Civil) No(s). 29/2021

(Arising out of impugned final judgment and order dated 09-12-2020 in T.P.(C) No. No. 2849/2019 passed by the Supreme Court of India)

SHAJI POULOSE

Petitioner(s)

VERSUS

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF
INDIA & ORS.

Respondent(s)

([GROUP MATTER]

(IA No. 20988/2021 - CLARIFICATION/DIRECTION

IA No. 20975/2021 - INTERVENTION APPLICATION)

WITH

W.P.(C) No. 371/2021 (X)

(IA No. 41905/2021 - GRANT OF INTERIM RELIEF)

W.P.(C) No. 581/2021 (X)

(IA No. 63523/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 63519/2021 - GRANT OF INTERIM RELIEF)

T.C.(C) No. 70/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 48/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 51/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 60/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 67/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 57/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 68/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 53/2023 (XII)

(FOR ADMISSION)

T.C.(C) No. 76/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 58/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 71/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 81/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 50/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 61/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 59/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 66/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 47/2023 (XII)

T.C.(C) No. 80/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 54/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 65/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 49/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 79/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 52/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 82/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 72/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 56/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 73/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 55/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 77/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 64/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 63/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 75/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 62/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 74/2023 (XII)
(FOR ADMISSION)

T.C.(C) No. 86/2023 (IV-A)
(FOR ADMISSION)

T.C.(C) No. 84/2023 (IV-A)
(FOR ADMISSION)

T.C.(C) No. 87/2023 (IV-A)
(FOR ADMISSION)

T.C.(C) No. 85/2023 (IV-A)
(FOR ADMISSION)

T.C.(C) No. 83/2023 (IV-A)

T.C.(C) No. 88/2023 (XII-A)
(FOR ADMISSION)

T.C.(C) No. 38/2021 (XVI)

T.C.(C) No. 39/2021 (XVI)

T.C.(C) No. 37/2021 (XII)

T.C. (C) No. 36/2021 (XI-A)

T.C. (C) No. 35/2021 (XVI)

T.C. (C) No. 34/2021 (XII)

T.C. (C) No. 33/2021 (XII)

T.C. (C) No. 32/2021 (XII)

T.C. (C) No. 31/2021 (XI-A)

T.C. (C) No. 27/2021 (XII)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 99253/2021
IA No. 99253/2021 - APPROPRIATE ORDERS/DIRECTIONS)

T.C. (C) No. 28/2021 (XII)

W.P. (C) No. 272/2021 (X)
(FOR STAY APPLICATION ON IA 30042/2021
IA No. 30042/2021 - STAY APPLICATION)

W.P. (C) No. 267/2021 (X)
(FOR STAY APPLICATION ON IA 29398/2021
FOR AMENDMENT OF THE PETITION ON IA 155862/2023
IA No. 155862/2023 - AMENDMENT OF THE PETITION
IA No. 29398/2021 - STAY APPLICATION)

W.P. (C) No. 186/2022 (X)
(FOR STAY APPLICATION ON IA 39258/2022
IA No. 39258/2022 - STAY APPLICATION)

T.C. (C) No. 30/2021 (XI-A)

W.P. (C) No. 670/2021 (X)
(IA No. 70218/2021 - STAY APPLICATION)

W.P. (C) No. 1084/2021 (X)
(FOR GRANT OF INTERIM RELIEF ON IA 124730/2021
IA No. 124730/2021 - GRANT OF INTERIM RELIEF)

W.P. (C) No. 1256/2021 (X)
(FOR STAY APPLICATION ON IA 148879/2021
IA No. 148879/2021 - STAY APPLICATION)

W.P. (C) No. 1200/2021 (X)
(IA No. 141182/2021 - GRANT OF INTERIM RELIEF)

W.P. (C) No. 1360/2021 (X)
(FOR GRANT OF INTERIM RELIEF ON IA 165238/2021
FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 165239/2021

IA No. 165238/2021 - GRANT OF INTERIM RELIEF
IA No. 165239/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON)
W.P. (C) No. 1291/2021 (X)
(FOR STAY APPLICATION ON IA 153247/2021
IA No. 153247/2021 - STAY APPLICATION)

W.P. (C) No. 1295/2021 (X)
(FOR STAY APPLICATION ON IA 154245/2021
IA No. 154245/2021 - STAY APPLICATION)

W.P. (C) No. 32/2022 (X)
(FOR STAY APPLICATION ON IA 7128/2022
IA No. 7128/2022 - STAY APPLICATION)

W.P. (C) No. 833/2022 (X)
(FOR GRANT OF INTERIM RELIEF ON IA 144358/2022
IA No. 144358/2022 - GRANT OF INTERIM RELIEF)

T.C. (C) No. 32/2023 (XII-A)

T.C. (C) No. 38/2023 (IV)

T.C. (C) No. 37/2023 (XI-A)
(FOR ADMISSION)

T.C. (C) No. 34/2023 (XI-A)

T.C. (C) No. 36/2023 (XI-A)

T.C. (C) No. 35/2023 (XI-A)
(FOR ADMISSION)

T.C. (C) No. 33/2023 (XI-A)
(FOR ADMISSION)

T.C. (C) No. 39/2023 (XVI)

T.C. (C) No. 69/2023 (XII)
(FOR ADMISSION)

T.C. (C) No. 78/2023 (XII)
(FOR ADMISSION)

Date : 01-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. E. M. S. Anam, AOR
Mr. V.Giri, Sr. Adv.
Mr. Rahul Narang, Adv.
Mr. Nihar Dharmadhikari, Adv.

Mr. Ashwin Kumar D.s., Adv.
Ms. Aditi Anil Dani, Adv.
Mr. Rangasaran Mohan, Adv.
Ms. Surbhi Mehta, AOR
Mr. Ishan Roy Chowdhury, Adv.

Mr. Tapes K. Singh, Sr. Adv.
Mr. Sukant Vikram, AOR
Mr. Aditya P. Singh, Adv.
Mr. Prashan Bharadwaj, Adv.

Mr. Pai Amit, AOR
Ms. Pankhuri Bhardwaj, Adv.
Ms. Lochana S. Babu, Adv.
Mr. Abhiyudaya Vats, Adv.
Mr. Tathagata Dutta, Adv.
Mr. Vanshika Dubey, Adv.
Mr. Nikhil Pahwa, Adv.
Mr. Kushal Dube, Adv.
Mr. P. Ashok, Adv.
Mrs. Naresh Bakshi, Adv.

Mr. Rajshekhar Rao, Sr. Adv.
Ms. Meherunissa Anand, Adv.
Mr. Shubhendu Bhattacharjee, Adv.
Mr. Dushyant Kaul, Adv.
Mr. Manish Bishnoi, AOR

Petitioner-in-person
Mr. Smarhar Singh, AOR

Mr. Manish K. Bishnoi, AOR
Ms. Ila Shikhar Sheel, Adv.
Mr. Hitesh Lodwal, Adv.

Mr. Arjun Garg, AOR
Mr. Shobhit Jain, Adv.
Mr. Aakash Nandolia, Adv.
Ms. Sagun Srivastava, Adv.
Ms. Nisha Pandey, Adv.

Mr. Preetesh Kapur, Sr. Adv.
Mr. Nirmal Kumar Ambastha, AOR
Ms. Ashmita Bisarya, Adv.
Mr. Sanjay Dutt, Adv.

Mr. Renjith B. Marar, Adv.
Ms. Lakshmi N. Kaimal, AOR
Mr. Rajkumar Pavothil, Adv.
Mr. Arun Poomulli, Adv.

Mr. Keshavraaj Nair, Adv.
Mr. Harsh Vardhan Shah Shyam, Adv.
Mr. Davesb Kumar Sharma, Adv.
Ms. Ashu Jain, Adv.
Mr. Jaleen Johnson, Adv.

By Courts Motion, AOR
Mr. Parijat Kishore, AOR
Mr. Sanyat Lodha, AOR
Mr. Ravi Raghunath , AOR
Mr. Pramod Dayal, AOR

Mr. Goutham Shivshankar, AOR

Mr. .B.ramana Kumar, Adv.
Mr. Ragunatha Sethupathy.b, Adv.
Mr. K. Paari Vendhan, AOR
Mr. S. Sabari Bala Pandian, Adv.
Ms. Pariksha, Adv.

For Respondent(s) Mr. Arvind P. Datar, Sr. Adv.
Mr. Pramod Dayal, AOR
Mr. Nikunj Dayal, Adv.

Mr. Anas Tanwir, AOR
Mr. Ebad, Adv.

Mr. K M Natraj, A.S.G.
Mr. Rupesh Kumar, Sr. Adv.
Mr. Raj Bahadur Yadav, AOR
Mr. Piyush Beriwal, Adv.
Mr. Bhuvan Mishra, Adv.
Mr. Shivank Pratap Singh, Adv.
Mr. Prahlad Singh, Adv.
Mr. Shashank Bajpai, Adv.
Mr. Vatsal Joshi, Adv.
Mr. Ashok Panigrahi, Adv.

Mr. K. Paari Vendhan, AOR

Mr. Amrish Kumar, AOR
Mr. K.M. Natraj, A.S.G.
Mr. Prahlad Singh, Adv.
Mr. Shashank Bajpai, Adv.
Mr. Naman Tondon, Adv.
Mr. Rohit Khare, Adv.

Mr. Wills Mathews, Adv.
Mr. Navas Jan A, Adv.
Mr. Paul John Edison, Adv.
Mr. Dhanesh M Nair, Adv.

Ms. Nanditta Batra, Adv.
Mr. Rakesh Garg, Adv.
Mr. Ashish Gopal Garg, Adv.
Ms. Shweta Garg, AOR

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for Respondent No.1 Mr. Pramod Dayal submitted that he has instructions to appear for respondent No.1- Institute of Chartered Accountants of India and he would file his vakalatnama in those cases where the vakalatnama has not yet been filed.

It is noted from the Cause List that in cases bearing Item Nos. 101.4, 101.8 101.10, 101.11, 101.12, 101.13, 101.14, 101.16, 101.17, 101.18, 101.19, 101.20, 101.21, 101.22, 101.23, 101.24, 101.26, 101.27, 101.28, 10.29, 101.30, 101.31, 101.32, 101.34, 101.35, 101.36 10.37, 101.39 101.40, 101.42, 101.48, 101.49, 101.50, 101.67, 101.68, 101.74, 101.75 and 101.76 are Transferred Cases where the writ petitions filed before the respective High Courts under Article 226 of the Constitution of India have been transferred to this Court pursuant to the orders passed in the Transfer Petitions filed by the respondent- Institute of Chartered Accountants of India and other. However, we find that there is no representation on behalf of the aforesaid writ petitioners.

In the circumstances, the Registry to ascertain whether the aforesaid writ petitioners have been served by this Court and if so on what date and whether any vakalatnama has been filed on their behalf before the Registry. If vakalatnama has been filed on their behalf, then the Registry to put up the same and to show the names of the Advocate-on-record in the Cause List.

The Registry to file a detailed service report in this regard enclosing the aforesaid details.

In addition, the learned counsel for the respondent-Institute of Chartered Accountants of India Mr. Pramod Dayal is requested to send Emails to those petitioners who have not appeared before this Court so as to intimate them about the final hearing of these cases so as to enable them to appear through counsel or in-person or through video conferencing facility. The said exercise shall be carried out within a period of five days from today.

We have heard Shri Tapeshe Kumar Singh and Shri Rajshekhar Rao, learned senior counsel for the petitioners.

Shri Rajshekhar Rao, learned senior counsel submitted that he would take a few more minutes on the next date followed by other learned senior counsel and learned counsel, who would argue on behalf of the respective petitioners and respondents.

Hence, list on 07.02.2024 as Item No.101.

(RADHA SHARMA)
COURT MASTER (SH)

(MALEKAR NAGARAJ)
COURT MASTER (NSH)