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

+ W.P.(C) 1485/2025

SUNIL WAHAL

.....Petitioner

Through: Mr. Abhimanyu Bhandari, Mr. Arjun Syal and Ms. Shreya, Advs.

versus

NATIONAL FINANCIAL

REPORTING AUTHORITY NFRA & ANR.

.....Respondents

Through: Mr. Zoheb Hossain, Mr. Azeez Mushtaque, Mr. Pranjal Tripathi and Mr. Suradhis Vats, Advs. for ED.

**CORAM:**

**HON'BLE MR. JUSTICE SACHIN DATTA**

**ORDER**

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**28.05.2025**

**W.P.(C) 1485/2025 & CM APPL.28486/2025 (filed on behalf of the R-1 for directions and vacation of stay order)**

1. The present petition has been filed by the petitioner seeking the following reliefs:

*“a. Pass appropriate writ(s)/order(s)/direction(s), quashing and setting aside the Show Cause Notice dated 30.12.2024 issued by Respondent No. 1 against the Petitioner and all consequential proceedings arising thereto, being ultra vires the provisions of the Companies Act, 2013, read with the National Financial Reporting Authority Rules, 2018;*

*b. Pass appropriate writ(s)/order(s)/direction(s), declaring that the proceedings initiated by the Respondent No. 1 against the Petitioner under Section 132(4)(c) read with Rule 11 of NFRA Rules are arbitrary, illegal and without jurisdiction;*

*c. For cost of this Petition;”*

2. The above prayers have been sought in the context of a Show Cause Notice dated 30.12.2024 (“Impugned Notice”) under Section 132(4)(c) of the Companies Act, 2013 (“Companies Act”) and Rule 11 of the National



Financial Reporting Authority Rules, 2018 (“NFRA Rules”), wherein it has been sought to level certain charges of professional misconduct against the petitioner, on account of his role as the Engagement Quality Control Reviewer (“EQCR”), for the statutory audit of M/s Religare Finvest Ltd. for financial year 2017-18.

3. When this matter first came up for hearing on 06.02.2025, it was the specific contention of the petitioner that the issue involved in the present petition are wholly identical to the issue involved in W.P.(C) 1135/2025 in which this Court had passed a detailed interim order dated 30.01.2025. Consequently, the same interim relief was granted to the petitioner in the present petition.

4. In CM APPL.28486/2025, it has been pointed out by the respondent no.1 that the order dated 30.01.2025 passed by this Court in W.P.(C) 1135/2025 was assailed in the Supreme Court by way of an SLP (Civil) No. 5468/2025 titled ‘National Financial Regulatory Authority vs Charmi M. Shah and Anr.’. The same was disposed of by the Supreme Court in the following terms: -

*“Issue notice to the respondents.*

*Learned counsel, Mr. Rachit Mittal accepts notice who is appearing on caveat for respondent No.1.*

*We dispose of this Special Leave Petition by reserving liberty to the respondents herein to file their objections to the Show Cause Notice issued by the petitioner herein within a period of four weeks from today.*

*Should such a reply be given by the first respondent to the petitioner herein, the same shall be considered both on the issue of jurisdiction, if any, as well as on any other aspect and pass a speaking order thereon.*

*Consequently, the Special Leave Petition as well as the Writ Petition filed by the first respondent herein before the High Court stand disposed of.*



*We state that we have not made any observation on the merits of the case.*

*Till the order is made by the petitioner on the issue of jurisdiction raised by the first respondent herein, no coercive steps shall be taken as against the first respondent herein.*

*In the event of any adverse order being made by the petitioner herein as against the first respondent, liberty is reserved with the first respondent to assail the same in accordance with law.*

*Pending application(s), if any, shall stand disposed of.”*

5. In the terms of the aforesaid order passed by the Supreme Court, W.P.(C) 1135/2025 was disposed of.
6. In the circumstances, the present petition is also disposed of in terms of the order dated 07.03.2025 passed by the Supreme Court in SLP No. 5468/2025.
7. Accordingly, CM APPL.28486/2025 stands allowed; W.P.(C) 1485/2025 stands disposed of in terms of the prayer thereunder.
8. Date already fixed i.e. 31.07.2025, stands cancelled

**SACHIN DATTA, J**

**MAY 28, 2025/at**