

ITEM NO.301

COURT NO.14

SECTION IX

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

Miscellaneous Application Nos.259-260/2024 in SLP(C) Nos.26890-26891/2023

[Arising out of impugned final judgment and order dated 11-12-2023 in SLP(C) No.26890-26891/2023 passed by the Supreme Court of India]

SECURITIES AND EXCHANGE BOARD OF INDIA

Petitioner(s)

VERSUS

ASHOK DAYABHAI SHAH & ORS.

Respondent(s)

(FOR ADMISSION)

(I.A. No.3968/2024 - Application for rectification)

Date : 17-01-2025 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Amarjit Singh Bedi, Adv.
Ms. Surekha Raman, Adv.
Mr. Shreyash Kumar, Adv.
Mr. Imlikaba Jamir, Adv.
For M/S. K.J. John And Co., AOR

For Respondent(s) Mr. Saket Sikri, Adv.
Mr. Pulkit Sukhramani, Adv.
Mr. Divyam Agarwal, AOR
Ms. Pallavi Kumar, Adv.
Ms. Priya Chauhan, Adv.
Ms. Samreen Fatima, Adv.
Ms. Arti Raghavan, Adv.
Mr. Juan D'Souza, Adv.

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Manu Nair, Adv.
Mr. Ameya Gokhale, Adv.
Mr. Rishabh Jasani, Adv.
Mr. Neelabh Shreesh, Adv.
Ms. Simran Malhotra, Adv.
Mr. Harit Lakhani, Adv.
Mr. Ansh Kumar, Adv.
Mr. S. S. Shroff, AOR

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

In this miscellaneous application, the applicant has prayed for the following reliefs:-

"a. Allow the present application and replace and rectify the first paragraph of the Order dated 11th December 2023 in SLP (C) Nos.26890-26891 of 2023 with the words;

'When the interim order of the Division Bench of the High Court of Judicature at Bombay was questioned before this Court under Article 136 of the Constitution, the Special Leave Petition which was filed initially by Bharat Nidhi Limited was dismissed. The order of the High Court required SEBI to make a disclosure of documents.

Subsequently, a companion Special Leave Petition filed by SEBI was also dismissed. However, this was without prejudice to the proceedings which were pending before the High Court. The High Court has, in the course of its impugned order, reiterated its interim order of directing a disclosure to be made'.

b. Pass any such further orders/directions which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

We heard Dr. Abhishek Manu Singhvi, the learned senior counsel appearing for the applicants and Mr. Saket Sikri, the learned counsel appearing for the respondents.

We take notice of the order passed by this Court dated 11.12.2023 wherein, it has been recorded that the special leave petition which was filed initially by the promoter was dismissed. This according to the learned counsel appearing for the parties has been inadvertently recorded because the earlier SLP was not filed

by a promoter but was filed by the Company.

In such circumstances, the relief as prayed for in this miscellaneous application is granted.

M.A. Nos.259-260/2024 stand disposed of with the aforesaid clarification.

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

(SAPNA BISHT)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)