

ITEM NO.13

COURT NO.6

SECTION XII-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 7551/2022

(Arising out of impugned final judgment and order dated 25-02-2022 in WA No. 87/2022 passed by the High Court For The State Of Telangana At Hyderabad)

P C FINANCIAL SERVICES PRIVATE LIMITED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.61675/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.61676/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 29-04-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Arvind Nayar, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Ms. Vanita Bhargava, Adv.
Mr. Atul Pandey, Adv.
Mr. HIRAK Mukhopadhyay, Adv.
Mr. Karan Gupta, Adv.
Mr. Milind Jain, Adv.
for M/S. Khaitan & Co., AOR

For Respondent(s)

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

Applications for exemption from filing C/C
of the impugned judgment, permission to file
additional documents/facts/annexures are allowed.

Learned counsel for the petitioner points

that no purpose is being subserved by relegating the petitioner to a Tribunal as there is no Tribunal for the last two years.

The aforesaid being the position, not only in this matter but in different matters, the result is the parties are compelled to approach the High Courts in the absence of the FEMA Appellate Tribunal. Once the Tribunal, as envisaged, not filling the vacancies for a period of two years frustrates the judicial remedy. Thus, it may require an order that till the Tribunal vacancies are filled up, proceedings across the Board should be kept in abeyance to obviate the possibility of the High Courts being flooded with such an issue.

Issue notice on the special leave petition as well as on the prayer for interim relief returnable on 06.05.2022

Dasti in addition, through standing counsel for the Central Agency,

A copy of the order to accompany the notice.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)