

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

INTERIM APPLICATION NO. 920 OF 2021

IN

WRIT PETITION NO. 628 OF 2021

**Securities And Exchange
Board of India**

**...Applicant
(Org. Respondent)**

**In the matter of
Nilesh s/o Hiralal Bohra
versus**

...Petitioner

The Union of India and Ors.

...Respondents

Mr. S.B. Talekar a/w. Ms. Madhavi Ayyapan i/by. Talekar and Associates for the Petitioner in WP/628/2021.

Ms. Binjal Samani i/by. Vidhi Partners for Respondent no.2 in WP/628/2021 and for applicant in IA 920/2021.

Mr. Faisal Sayyed a/w. Juan D'Souza i/by. Manilal Kher Ambalal & Co. for Respondent nos. 3 to 6.

**CORAM: DIPANKAR DATTA, CJ. &
ABHAY AHUJA, J.**

DATE: NOVEMBER 22, 2022.

P.C.:

1. This interim application is an application presented by the respondent no.2 in Writ Petition No. 628 of 2021, i.e., Securities Exchange Board of India (hereinafter "SEBI" for short). It is stated in the application that SEBI is neither a necessary nor proper party since the dispute is primarily between the petitioner and National Stock Exchange and its officers and hence, it has been unnecessarily arrayed as a respondent.

2. Having heard Mr. Binjal Samani, learned advocate for SEBI and Mr. Talekar, learned advocate for the writ petitioner, we are of the considered opinion that the presence of SEBI is not required for effective decision on this writ petition, where the challenge revolves around the alleged forced resignation that the petitioner had to tender and which, according to him, amounts to wrongful termination of his service.

3. The application is allowed in terms of the prayer contained therein. No costs.

4. Office shall take steps to delete SEBI from the array of respondents.

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signed by
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YOGESH
GADGIL
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(ABHAY AHUJA, J.)

(CHIEF JUSTICE)