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

+ W.P.(C) 12500/2022 & C.M. No. 37730/2022

AAYUSH SHUKLA & ANR.

..... Petitioner

Through: Petitioner in person with Mr. Aayush
Shukla and Mr. Vikash Kumar, Advs.

versus

M/S COINDCX & ORS.

..... Respondent

Through: Ms. Udit Singh, Advocate for SEBI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **17.01.2023**

The Petitioner has preferred the present writ petition to seek the following reliefs:

“a) To issue a writ, orders or direction in the nature of mandamus directing the Respondent No. 2 and Respondent No. 3 to take urgent steps towards identifying, classifying and distinguishing the different types of crypto assets and to issue circulars/ notices/ guidelines thereby detailing how the different types of crypto assets will be regulated in terms of their inherent characteristics;

AND/OR

b) To issue a writ, orders or direction in the nature of mandamus directing the Respondent No. 2 and Respondent No. 3 to direct the Respondent No. 1 to allow users/ traders/ investors to withdraw and transfer the specific crypto assets purchased by them from Respondent No. 1 or any other online crypto exchange as applicable;

AND/OR

c) To issue a writ, orders or direction in the nature of mandamus directing the Respondent No. 2 and Respondent No. 3 to issue show cause notices to the Respondent No. 1 and further issue order or direction preventing any further user/ trader/ investor from purchasing any crypto asset till the time that Respondent No. 2 and Respondent No. 3 do not direct

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Respondent No. 1 to allow the users/ traders/ investors who have already purchased crypto assets to withdraw and transfer the crypto asset;

AND/OR

d) Pass such other further order(s) as this Hon'ble Court may deem fit and proper."

At the outset, it has been brought to the notice of this Court by learned Counsel for SEBI that two writ petitions i.e. W.P.(C.) No. 1076/2017, titled ***Siddharth Dalmia & Anr. V. Union of India & Ors.*** And W.P.(C.) No. 1076/2017, titled ***Dwaipayan Bhowmick v. Union of India & Ors.*** are pending before the Hon'ble Supreme Court relating to various issues in respect of crypto currencies

Learned Counsel for the SEBI submits that as the matter is pending before the Hon'ble Supreme Court, this Court cannot hear the present matter and liberty be granted to the Petitioner to file an appropriate application in the matters pending before the Hon'ble Supreme Court for impleadment and for directions.

In light of the aforesaid, as the larger issue is pending before the Hon'ble Supreme Court, the PIL stands disposed of with liberty to the Petitioner to approach the Hon'ble Supreme Court by filing an appropriate application in the pending matters.

SATISH CHANDRA SHARMA, CJ

SUBRAMONIUM PRASAD, J

JANUARY 17, 2023/N.Khanna

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