

MHCC010062862019



CNR NO. MHCC010062862019

IN THE BOMBAY CITY CIVIL COURT AT BOMBAY

CHAMBER SUMMONS NO.1130 OF 2019

IN

SUMMARY SUIT NO.1342 OF 2017

CHELLIAH PARAMANADAM] ... Plaintiff

V/s.

PANCARD CLUBS LIMITED] Defendants

Appearances :-

Ld. Adv. Mr. Ganesh Murthy for plaintiffs.

Ld. Adv. Mr. Ravishekhar Pandey for defendant.

**CORAM : HIS HONOUR JUDGE
SMT. R.K. KSHIRSAGAR
(C.R.No.13)**

DATED : 8th July, 2022

ORAL ORDER

1. The present Chamber Summons is taken out by the plaintiff for adding Securities & Exchange Board of India(SEBI) as defendant No.2.

2. It was submitted by the plaintiff that he had filed the suit for recovery against the defendant. The proposed defendant No.2 issued a letter to the plaintiff informing that the proceedings are

initiated by SEBI against the defendant and requested the plaintiff to wait till all the recovery proceedings are completed and therefore, the SEBI be added as defendant No.2 in the present suit.

3. The proposed defendant No.2 filed reply and submitted that in view of the interim order dated 31.07.2014, the SEBI had taken over the investments of the defendant and initiated proceedings against him. The recovery Officer of SEBI had also initiated proceeding against the defendant. So far as question of impleadment of SEBI is concerned, this Court does not have jurisdiction to interfere in the SEBI proceedings and no relief can be sought against the SEBI and therefore, the Chamber summons be rejected.

4. Heard Learned Advocate for plaintiff and proposed defendant No.2 at length. Also perused the documents filed by both the parties. It seems that the plaintiff can not seek any relief against the SEBI due to bar of jurisdiction as per Section 20(A), 15(Y) of the SEBI Act and therefore, the question of impleading them as a party to the suit will not serve any purpose. The plaintiff can not seek any relief against the SEBI due to bar of jurisdiction of the Civil Court and therefore, there is no necessity to implead them as a party. I, therefore, proceed to pass the following order.

ORDER

1. The Chamber summons 1130 of 2019 is rejected.
2. Parties to bear their own costs.



RAJNI KIRAN
KSHIRSAGAR

Digitally signed by
RAJNI KIRAN
KSHIRSAGAR
Date: 2022.07.15
17:00:57 +0530

(Smt. R. K. Kshirsagar)
Judge, (C.R.No.13)

City Civil Court, Gr. MUMBAI

Dt.: 08-07-2022

Dictated on : 08-07-2022
Transcribed on : 11-07-2022
checked on : 15-07-2022
Signed on : 15-07-2022

(Smt. R. K. Kshirsagar)
Judge, (C.R.No.13)
City Civil Court, Gr. MUMBAI

**“CERTIFIED TOBE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”**

**15.07.2022 at 05.25 p.m.
UPLOAD DATE AND TIME**

**(VARSHA U. PAWAR)
NAME OF STENOGRAPHER**

Name of the Judge	H.H.J.Smt.R.K.Kshirsagar (COURT ROOM NO.13)
Date of pronouncement of judgment/order	08.07.2022
Judgment/order signed by P.O. on	15.07.2022
Judgment/order uploaded on	15.07.2022