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

+ **W.P.(C) 7857/2021**

RENU ANAND & ORS

..... Petitioners

Through: Mr. Ankur Singhal, Advocate

versus

INSOLVENCY AND BANKRUPTCY BOARD OF INDIA & ANR.

..... Respondents

Through: Mr. Puneet Jain, Mr. Umang Mehta,
Mr. Mann Arora, Advocates
Mr. Rajat Chaudhary, Advocate for
R-2

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **17.08.2023**

1. The Petitioners have approached this Court with the following prayers:-

“(a) Issue a Writ of Mandamus or any other Writ, Order or Direction of similar nature directing the respondent no. 1 to initiate disciplinary proceedings thereby furnishing show cause notice to the respondent no. 2 under Regulation 11 of the IBBI (Insolvency Professionals) Regulations, 2016 read with Regulation 12 of the IBBI (Inspection and Investigation Regulation), 2017;

(b) Issue a Writ of Mandamus or any other Writ, Order or direction of similar nature directing the respondent no. 1 to provide the copy of the show cause notice to the Petitioners, thereby, allowing the Petitioners to participate in the disciplinary proceedings against the respondent no. 2;

(c) Issue a Writ of Mandamus or any other Writ, Order

or directions of similar nature directing the respondent no. 1 to dispose off the complaint/representation filed by the Petitioners against the respondent no. 2

(d) Pass any other order or direction as deemed fit and proper in favour of the petitioners and against the respondents.”

2. It is stated by the Petitioners that a complaint dated 16.10.2020 had been filed against the Interim Resolution Professional (IRP) and the Petitioners are not aware of the outcome of their complaint.
3. Mr. Puneet Jain, learned Counsel for the Insolvency and Bankruptcy Board of India (IBBI), draws the attention of this Court towards the Insolvency and Bankruptcy Board of India (Grievance and Complaint Handling Procedure) Regulations, 2017 and more particularly to Form-A appended with the Regulations, which gives the format in which a complaint has to be filed. The complaint which has been filed by the Petitioners does not adhere to the format prescribed by the IBBI. He states that the complaint has been disposed of by the Board.
4. The Petitioners are permitted to file a fresh complaint in the format prescribed under the Regulations within a period of 14 days from today and the IBBI is directed to consider the complaint in accordance with law *de hors* the fact that the earlier complaint has been disposed of.
5. With these observations, the petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 17, 2023

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