

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

**WRIT PETITION NO.2285 OF 2005**

M/s.Archana Securities Pvt. Ltd....Petitioners

Vs.

National Stock Exchange of India

Limited & Ors. ....Respondents

Mr. Sajan Ommen with Ms. Shalini Rajput for the  
Petitioner.

Mr.Kumar Desai i/b. Maneksha & Sethna for respondent  
No.2.

**CORAM: F.I. REBELLO &**

**ANOOP V. MOHTA, JJ.**

**DATE: 20TH OCTOBER,2006**

P.C.

. Statement of the petitioner was recorded on 10th  
October, 2006 that prayer Clauses (a) and (b) no  
longer survive. Prayer clause (b) is only relief for  
recovery of money.

2. The entire case of the petitioner is based on  
the amnesty scheme of SEBI by which persons who are  
defaulters as on 15th July, 2004 both of principal  
and interest were given certain benefits. It is  
pointed out on behalf of SEBI that the petitioner  
paid all his dues as on 24th June, 2004 and as such  
is not a defaulter and consequently was not entitled  
to the benefit of the scheme. It is further pointed  
out that pursuant to a general letter issued the  
petitioner had paid certain additional amount which  
has been returned to him by letter of October, 2005.  
Considering the above, we are of the opinion that  
this would not be a fit case for us to exercise our

extra ordinary jurisdiction. If the petitioner has  
any other remedy by way of suit it will be open to  
him to pursue that remedy, if so advised.

**(ANOOP V. MOHTA,J).**

**(F.I. REBELLO, J)**