

**THE BOARD OF DISCIPLINE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA
IN THE MATTER OF COMPLAINT OF PROFESSIONAL OR OTHER MISCONDUCT
UNDER THE COMPANY SECRETARIES ACT, 1980**

DC/430/2018

Order reserved on: 29th August, 2019Order issued on: 9th October, 2019

Shri Manoj H. Shah (FCS-4238) (CP-2499)

....Complainant

Vs.

Shri Mahesh Deepak Palimkar (FCS-31589) (CP-11576)

....Respondent

CORAM:

Shri Deepak Kumar Khaitan, Presiding Officer

Shri Manish Gupta, Member

Shri Ashok Kumar Dixit, Member

Present:

Shri Gaurav Tandon, Assistant Director, Disciplinary Directorate

ORDER

1. A Complaint dated 13th April, 2018, in Form-'I' filed under Section 21 of the Company Secretaries Act, 1980, ('the Act') read with Sub-Rule (1) of Rule 3 of the Company Secretaries (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, ('the Rules'), by Shri Manoj H. Shah (FCS-4238) (CP-2499), (hereinafter referred to as 'the Complainant'), against Shri Mahesh Deepak Palimkar (FCS-31589) (CP-11576), (hereinafter referred to as 'the Respondent').
2. The Complainant inter-alia stated that he was rendering Secretarial Consultancy Services to a Public Limited company namely M/s. Dharashiv Sakhar Karkhana Limited ('Company') and had filed Form MGT 7 for the said company for the year 2015-16 and had also done the said certification and also similar certification services for the said company for the previous years. The Complainant further submitted that on 6th April, 2018, he found on the website of the MCA, that a Form MGT-7 and Certificate in the Form MGT-8 for M/s. Dharashiv Sakhar Karkhana Limited for the Financial Year 2016-17, has already been filed by the another Company Secretary in Practice namely i.e. Shri Mahesh Deepak Palimkar, (FCS-31589) (CP-11576) without prior communicating in writing with him before taking up the alleged assignment.
3. On the other hand, the Respondent in his Written Submissions dated 7th July, 2018 has contended that M/s. Dharashiv Sakhar Karkhana



(Signature)

(Signature)

(Signature)