

**BEFORE THE SECURITIES APPELLATE TRIBUNAL  
MUMBAI**

**Misc. Application No. 14 of 2009  
And  
Appeal No. 53 of 2009**

**Date of decision: 03.08.2009**

Mr. Bhanuprasad D. Trivedi ..... Appellant

Versus

Securities and Exchange Board of India ..... Respondent

Mrs. Poonam D. Gadkari, Advocate for the Appellant.

Mr. Kumar Desai, Advocate with Ms. Daya Gupta, Advocate for the Respondent.

CORAM : Justice N.K. Sodhi, Presiding Officer  
Samar Ray, Member

Per : Justice N.K. Sodhi, Presiding Officer (Oral)

This appeal is directed against the ex-parte interim order dated April 27, 2006 passed by the whole time member debarring, among others, the appellant from accessing the capital market till further orders. In the meantime, proceedings under section 11B of the Securities and Exchange Board of India Act, 1992 were initiated against the appellant and during the pendency of this appeal the whole time member by his order dated July 30, 2009 has passed the final order debarring the appellant from accessing the securities market for a further period of one year from the date of the order. Now that the final order has been passed under section 11B, the present appeal has become infructuous. It goes without saying that since the issues raised in the appeal have not been examined on merits, the same are left open. It will be open to the appellant to challenge in accordance with law the final order now passed under section 11B of the Act.

Dismissed as infructuous.

Sd/-  
Justice N.K. Sodhi  
Presiding Officer

Sd/-  
Samar Ray  
Member

03.08.2009

Prepared and compared by :  
msb