

BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date : 08.09.2016

Appeal No. 373 of 2014

Bhartiya Global Infomedia Ltd.
B - 13, LGF, Amar Colony, Lajpat Nagar – IV,
New Delhi – 110024. ...Appellant

Versus

Securities and Exchange Board of India
SEBI Bhavan, Plot No. C-4A, G Block,
Bandra Kurla Complex, Bandra (East),
Mumbai - 400 051. ...Respondent

With
Misc. Application No. 205 of 2014
And
Appeal No. 440 of 2014

1. Bhartiya Global Infomedia Ltd.
B - 13, LGF, Amar Colony, Lajpat Nagar – IV,
New Delhi – 110024.
2. Shri Rakesh Bhatia
A-93, Sector – 26, Noida – 201 301.
3. Shri Sanjeev Kumar Mittal
D- 51/B, Sector – 26, Noida – 201 301.
4. Shri Rajeev Kumar Agarwal
26/161, II Floor, West Patel Nagar,
New Delhi – 110008.Appellants

Versus

Securities and Exchange Board of India
SEBI Bhavan, Plot No. C-4A, G Block,
Bandra Kurla Complex, Bandra (East),
Mumbai - 400 051. ...Respondent

Ms. Madhumita Bhattacharya, Advocate with Mr. K. K. Singh, Ms. Aarti Jain, Mr. Kumar Puskar, Company Secretaries for the Appellants.

Mr. Shiraz Rustomjee, Senior Advocate with Mr. Mihir Mody, Mr. Saurabh Bachhawat, Advocates i/b K. Ashar & Co. for the Respondent.

CORAM : Justice J. P. Devadhar, Presiding Officer
Jog Singh, Member
Dr. C. K. G. Nair, Member

Per : Justice J. P. Devadhar (Oral)

1. During the course of arguments it was noticed that the appellants in the above matters have annexed wrong documents to the memo of appeal. It was also noticed that there were also discrepancies in paging the documents annexed to the memo of appeals.

2. In these circumstances, counsel for appellants seek permission of this Tribunal to withdraw the appeals and file fresh appeals within the time stipulated by this Tribunal.

3. In the facts of present case, since the documents on which the appellants seek to rely on have not been annexed to the memo of appeal, we permit the appellants to withdraw the appeals with liberty to file fresh appeals on or before November 18, 2016 as requested by the counsel for appellants.

4. All contentions of both sides are kept open. If appellants file fresh appeals on or before November 18, 2016 then the court fees paid on these appeals be adjusted against the court fees payable on the fresh appeals that may be filed by the appellants on or before November 18, 2016.

5. If fresh appeals are not filed by the appellants on or before November 18, 2016, then SEBI would be entitled to enforce the penalty order after November 18, 2016. However, it is made clear that inspite of the withdrawal of these appeals, the debarment order shall continue to operate.

6. Both Appeals are disposed of in the above terms with no order as to costs.

Justice J. P. Devadhar
Presiding Officer

Jog Singh
Member

Dr. C. K. G. Nair
Member

08.09.2016
PTM