

BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date of Decision : 09.12.2016

**Misc. Application No. 310 of 2016
And
Appeal No. 381 of 2016**

Anita Ghosh Chowdhury
Wife of Sri. Santanu Chowdhury
Daughter of Biswanath Ghosh
A/2/14, Diamond Park,
Kolkata – 700 104
West Bengal.

...Appellant

Versus

1. Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East),
Mumbai – 400 051, Maharashtra and also
having its Eastern Regional Office at
L&T Chambers, 3rd & 4th Floor,
16, Camac Street, Kolkata – 700 017
West Bengal.
2. The Whole Time Member
Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East),
Mumbai – 400 051, Maharashtra and also
having its Eastern Regional Office at
L&T Chambers, 3rd & 4th Floor,
16, Camac Street, Kolkata – 700 017
West Bengal.
3. The Assistant General Manager,
Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East),
Mumbai – 400 051, Maharashtra and also
having its Eastern Regional Office at
L&T Chambers, 3rd & 4th Floor,
16, Camac Street, Kolkata – 700 017
West Bengal.
4. Cemendia Infrastructures Limited
Registered office at C/o Shashank Sheorey,
Sheorey Niwas, 673, Tilak Bhumi Talaiya,
Bhandarpara,
Jabalpur – 482 002, Madhya Pradesh and

Also of 103/B/1, Saraswati Nagar,
University Road, Gwalior – 474 008,
Madhya Pradesh and also at 8E, James Hickey
Sarani, 1st Floor, Kolkata 700 069.

5. Rabishankar Basu

Registered office at C/o Shashank Sheorey,
Sheorey Niwas, 673, Tilak Bhumi Talaiya,
Bhandarpara, Jabalpur – 482 002,
Madhya Pradesh and
Also of 103/B/1, Saraswati Nagar,
University Road, Gwalior – 474 008,
Madhya Pradesh.

6. Byomkesh Das

Registered office at C/o Shashank Sheorey,
Sheorey Niwas, 673, Tilak Bhumi Talaiya,
Bhandarpara, Jabalpur – 482 002,
Madhya Pradesh and
Also of 103/B/1, Saraswati Nagar,
University Road, Gwalior – 474 008,
Madhya Pradesh.

7. Rahul Chatterjee

Registered office at C/o Shashank Sheorey,
Sheorey Niwas, 673, Tilak Bhumi Talaiya,
Bhandarpara, Jabalpur – 482 002,
Madhya Pradesh and
Also of 103/B/1, Saraswati Nagar,
University Road, Gwalior – 474 008,
Madhya Pradesh and also of
34/108, Larika Township, Nabapally,
Barasat, Kolkata – 700 126.

...Respondents

Ms. Neha Mehta, Advocate for the Appellant.

Mr. M.P. Rao, Senior Advocate with Mr. Yogesh Chawak, Mr. Abhishek Adhe and MR. Nihaar Thackeray, Advocates i/b Legasis Partners for Respondent Nos. 1 to 3.

None for Respondent Nos. 4 to 7.

CORAM : Justice J.P. Devadhar, Presiding Officer
Jog Singh, Member

Per : J.P. Devadhar (Oral)

1. This appeal is filed to challenge the ex-parte ad-interim order passed by the Whole Time Member ('WTM' for short) of Securities and Exchange Board of India ('SEBI' for short) on May 29, 2015. It is not in dispute that

during the pendency of the appeal, confirmatory order is passed by the WTM of SEBI on November 1, 2016. As a result, the present appeal has become infructuous.

2. Accordingly, appeal as also the Misc. Application are disposed of with no order as to costs.

Sd/-
Justice J.P. Devadhar
Presiding Officer

Sd/-
Jog Singh
Member

09.12.2016
Prepared and compared by:
msb