BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date : 13.05.2021

Appeal No. 319 of 2019

Praveen Kurele & Ors. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Mr. Sharan Jagtiani, Senior Advocate with Mr. Akshay Doctor, Advocate i/b Mr. Vikas Bengani, Advocate for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 358 of 2020

Manish Kumar Garg …. Appellant

Versus

Securities and Exchange Board of India …. Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 364 of 2020

Sanjeev Sanghi ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 365 of 2020

Pranveer Singh ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 374 of 2020

Sajan Kumar Agarwal ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 375 of 2020

Vivek Karwa ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 376 of 2020

Geeta Mishra & Anr. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 377 of 2020

Sanjay Kumar ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Misc. Application No. 332 of 2020
(Stay Application)
And
Appeal No. 323 of 2020

Som Prakash Goenka ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Neville Lashkari, Advocate with Mr. Prakash Shah, Advocate i/b Prakash Shah & Associates for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Misc. Application No. 334 of 2020
(Stay Application)

And
Appeal No. 324 of 2020

Surendra Kumar Gupta ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Neville Lashkari, Advocate with Mr. Prakash Shah, Advocate i/b Prakash Shah & Associates for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 398 of 2020

Ashok Kumar Maheshwari & Ors. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 399 of 2020

Manoj Agarwal ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 400 of 2020

Narendra Kumar & Ors. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 401 of 2020

Divya Agarwal ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 422 of 2020

Raghuvansh Agrofarms Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Saurabh Bacchavat, Advocate i/b Mr. Yahaya Batatawala, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 423 of 2020

Litmus Investment Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Saurabh Bacchavat, Advocate i/b Mr. Yahaya Batatawala, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 435 of 2020

Manisha Sharma ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 437 of 2020

Shubham Agarwal & Anr. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 452 of 2020

Bakliwal Vyapar Pvt. Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.

Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 453 of 2020

Deepak Kumar Agarwal ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 462 of 2020

Jasmine Commodities Pvt. Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 463 of 2020

Aviral Industries Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 480 of 2020

Seema Kapoor & Ors. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Misc. Application No. 501 of 2020
(Delay Application)
And
Appeal No. 501 of 2020

Vinay Kumar Agarwal ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Vikas Bengani, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 492 of 2020

Kavita Awasti & Anr. ….. Appellants

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellants.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 493 of 2020

KPK Fin Consultancy Pvt. Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.

Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 531 of 2020

Santosh Kumar ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.

Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 553 of 2020

Param Jeet Singh ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.

Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 555 of 2020

Shrishti E Systems Pvt. Ltd. ….. Appellant

Versus

Securities & Exchange Board of India … Respondent

Dr. S. K. Jain, Practicing Company Secretary i/b S. K. Jain & Co. for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Appeal No. 67 of 2021

Subodh Agarwal ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Yahaya Batatawala, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Misc. Application No. 90 of 2021
(Delay Application)
And
Misc. Application No. 91 of 2021
(Stay Application)
And
Appeal No. 131 of 2021

Mr. Raj Kumar ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Hetal Thakore, Advocate with Mr. Kunal Parekh, Advocate i/b Dua Associates AOR, Advocate for the Appellant.
Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

With
Misc. Application No. 211 of 2021
And
Appeal No. 195 of 2021

Sulabh Engineers & Services Ltd. ….. Appellant

Versus

Securities and Exchange Board of India … Respondent

Mr. Kushal Shah, Chartered Accountant with Mr. Ketan Rupani Chartered Accountant i/b Ketan Rupani & Co. for the Appellant.

Ms. Nidhi Singh, Advocate with Mr. Hersh Choudhary, Ms. Nipa Paka, Ms. Riddhi Pawar, Advocates i/b Vidhii Partners for the Respondent.

ORDER:

1. In the Appeal of Mr. Raj Kumar vs. SEBI (Appeal No. 131 of 2021), there is a misc. application for condonation of delay. According to the appellant, there is no delay in as much as the certified copy of the impugned order was never served. This fact is not disputed by the respondent. We accordingly allow the application for condonation of delay. The delay, if any, be condoned.

2. In Appeal No. 195 of 2021 Sulabh Engineers & Services Ltd. vs. SEBI, no reply has been filed by the respondent till date. We grant three weeks' further time to the respondent to file a reply. Three weeks thereafter to the appellant to file rejoinder.

3. In Appeal No. 501 of 2020 Vinay Kumar Agarwal vs. SEBI, there is a delay in the filing of the appeal. For the reasons stated in the application, the delay is condoned. Misc. Application is disposed of.

4. All these matters would be listed for admission and for final disposal on July 13, 2021.

5. Parties will take instructions from the Registrar 48 hrs. before the date fixed in order to find out as to whether the appeal would be heard through video conference or through physical hearing.

6. The present matter was heard through video conference due to Covid-19 pandemic. At this stage, it is not possible to sign a copy of this order nor a certified copy of this order could be issued by the Registry. In these circumstances, this order will be digitally signed by the Private Secretary on behalf of the bench and all concerned parties are directed to act on the digitally signed copy of this order. Parties will act on production of a digitally signed copy sent by fax and/or email.

Justice Tarun Agarwala
Presiding Officer

Justice M. T. Joshi
Judicial Member

13.05.2021
PTM

RAJALAKSHMI H NAIR
Digitally signed by RAJALAKSHMI H NAIR
Date: 2021.05.17 08:13:30 +05'30'