

BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date of Decision : 03.09.2021

**Misc. Application No. 969 of 2021
And
Appeal No. 576 of 2021**

1. Jatin Chawla
2. Mrs. Daljit Chawla

B-1204, Ajmera Zeon,
Near Imax Theatre,
Bhakti Park, Wadala East,
Mumbai – 400 037.

...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

Mr. P.N. Modi, Senior Advocate with Mr. Kunal Katariya,
Ms. Sourabhi Waknis and Ms. Ashmita Goradia, Advocates
i/b Mr. Aagam Doshi, Advocate for Appellants.

Mr. Chander Uday Singh, Senior Advocate with Mr. Mihir
Mody, Mr. Arnav Misra and Mr. Mayur Jaising, Advocates
i/b K. Ashar & Co. for the Respondent.

**WITH
Misc. Application No. 970 of 2021
And
Appeal No. 577 of 2021**

1. Gopal Ritolia
2. Mrs. Gomati Devi Ritolia

1205, Royal Empire
Near Lokhandwala Circle,
Andheri (West),
Mumbai – 400 053.

...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

Mr. Gaurav Joshi, Senior Advocate with Mr. Kunal Katariya,
Ms. Sourabhi Waknis and Ms. Ashmita Goradia, Advocates
i/b Mr. Aagam Doshi, Advocate for Appellants.

Mr. Chander Uday Singh, Senior Advocate with Mr. Mihir
Mody, Mr. Arnav Misra and Mr. Mayur Jaising, Advocates
i/b K. Ashar & Co. for the Respondent.

AND
Misc. Application No. 971 of 2021
And
Appeal No. 578 of 2021

Bijal Shah
402, Lido Tower,
Opp SNDT University,
Juhu Road, Santacruz (West),
Mumbai – 400 049.

...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

Mr. Somasekhar Sundaresan, Advocate with Ms. Sneha
Prabhu, Ms. Yugandhara Khanwilkar and Ms. Janhvi P.
Durve, Advocates i/b J.P. Durve for the Appellant.

Mr. Chander Uday Singh, Senior Advocate with Mr. Mihir
Mody, Mr. Arnav Misra and Mr. Mayur Jaising, Advocates
i/b K. Ashar & Co. for the Respondent.

CORAM : Justice Tarun Agarwala, Presiding Officer
Justice M.T. Joshi, Judicial Member

Per : Justice Tarun Agarwala, Presiding Officer (Oral)

1. These three appeals are against a common order and are being taken up together. The urgency applications are allowed.

2. The Whole Time Member ('WTM' for short) of the Securities and Exchange Board of India ('SEBI' for short) has passed an *ex parte ad interim* order dated August 12, 2021 restraining the appellants from buying, selling or dealing in securities, either directly or indirectly till further orders. Further, their bank accounts, demat accounts have also been frozen and a slew of other directions have also been issued. Certain amounts have also been impounded. The appellants have approached this Tribunal praying for stay of the directions contained in the impugned order on the ground that they have deposited the impounded amount under protest in an escrow account.

3. Be that as it may. We are of the opinion that the appellants should file a reply and/or move an application for vacation of the impugned order. If such an application is filed

the authority will consider and decide the matter by reasoned and speaking order.

4. In this regard, the appellants may file their reply / objection on or before September 10, 2021. The WTM will conduct the hearing and give them an opportunity on September 15, 2021 and the WTM will pass the appropriate order on or before September 25, 2021. Appeals are accordingly disposed of at this stage.

5. 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

03.09.2021
msb