

BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date : 13.12.2022

Misc. Application No. 1261 of 2022
And
Misc. Application No. 1545 of 2022
And
Appeal No. 893 of 2022

Devendra Kumar Sharma & Anr. ...Appellants

Versus

Securities and Exchange Board of India ...Respondent

Mr. Chetan Alai, Advocate with Mr. Rama Somani i/b
Mr. Ruturaj Bankar, Advocate for Appellants.

Mr. Ravishekhar Pandey, Advocate with Mr. Nishit Dhruva and
Ms. Shefali Shankar, Advocates i/b. MDP & Partners,
Advocates for Respondent

ORDER:

1. The appeal has been against the order dated December 21, 2017. There is a delay of 1718 days in the filing of the appeal. The ground urged is, that the appellant no. 1 was a government teacher and was taken in the custody in the year 2016 and was only granted bail in December 2021. It was, thus, urged that being in custody it was not possible for the appellant to file an appeal.

2. The fact that the appellant no. 1 was in custody has not been disputed. In view of the aforesaid, we find that sufficient cause been shown in condoning the delay. The delay is condoned. The application is allowed.

3. Three weeks time is allowed to the appellant to file a reply. Three weeks thereafter to file rejoinder. The matter would be listed for admission and for final disposal on January 27, 2023.

4. 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. Certified copy of this order is also available from the Registry on payment of usual charges.

Justice Tarun Agarwala
Presiding Officer

Ms. Meera Swarup
Technical Member

13.12.2022
msb