

**BEFORE THE SECURITIES APPELLATE TRIBUNAL  
MUMBAI**

**Misc. Application No. 2 of 2010  
And  
Appeal No. 66 of 2009**

**Date of Decision: 7.1.2010**

Action Financial Services Limited  
31 Rajgir Chambers, 4<sup>th</sup> Floor,  
12/14 Shahid Bhagat Singh Road,  
Fort, Mumbai- 400 023

..... Appellant

Versus

Securities and Exchange Board of India  
SEBI Bhavan,  
Plot No. C4-A, "G" Block,  
Bandra Kurla Complex, Bandra (East), Mumbai.

..... Respondent

Ms. Swathy Ramakrishnan, Advocate for Appellant.

Ms. Kersi Dastoor, Advocate for Respondent.

CORAM : Justice N.K. Sodhi, Presiding Officer  
Samar Ray, Member

Per : Justice N. K. Sodhi, Presiding Officer (Oral)

This appeal is directed against the order dated March 24, 2009 passed by the adjudicating officer imposing a monetary penalty of Rs. 2 lacs on the appellant for violating the code of conduct prescribed for the stock brokers. The appellant is a stock broker registered with the Securities and Exchange Board of India (for short the Board).

During the pendency of the appeal, the appellant filed an application for obtaining a consent order in terms of the circular dated April 20, 2007 and offered to pay a sum of Rs. 2 lacs towards the settlement charges, Rs. 40,000/- towards legal charges and interest thereon at the rate of 15% per annum. The matter was placed before the High Powered Committee set up for the purpose which after granting its approval had sent the case back to the Board. The consent terms were again considered by two whole time members of the Board and they, too, have accorded

their approval subject to the approval being granted by this Tribunal. The appellant then filed Miscellaneous Application 2 of 2010 before this Tribunal with a prayer that the consent terms offered by the appellant be approved and the appeal be disposed off in terms thereof.

We have heard the learned counsel for the parties and having regard to the nature of the charge established, we are satisfied that the ends of justice would be adequately met if the consent terms as offered by the appellant are accepted. We, therefore, grant approval to the terms and dispose of the appeal in terms thereof. The impugned order will stand modified accordingly. No costs.

Sd/-  
Justice N.K. Sodhi  
Presiding Officer

Sd/-  
Samar Ray  
Member

7.1.2010  
pmb

Prepared & Compared By: Prerana