BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date of Decision: **07/03/2018**

Appeal No.312 of 2016

Manojkumar Singhal
D-56, Arya Samaj Road,
Uttamnagar,
New Delhi. … Appellant

Versus

The Whole Time Member
Securities and Exchange Board of India
Plot No.C4-A, 'G' Block,
Bandra Kurla Complex,
Bandra (East),
Mumbai – 400 051. … Respondent

Mr. Varun Nathani, Advocate i/b Ms. Kirti Kothari, PCS for the Appellant.

Mr. Aditya Chitale a/w Mr. Pulkit Sukhramani and Ms. Vidhi Jhawar, Advocates i/b The Law Point for the Respondent.

CORAM : Justice J.P. Devadhar, Presiding Officer
Dr. C.K.G. Nair, Member

Per : Justice J.P. Devadhar (Oral)

1. This appeal is filed to challenge the order passed by the Whole Time Member ("WTM" for short) of Securities and Exchange Board of India ("SEBI" for short) on 2nd June, 2016. It is not in dispute that the submissions made by the appellant are neither recorded nor considered in the impugned order. In these circumstances, in our opinion, the impugned order dated 2nd June, 2016 deserves to be quashed and set aside qua the appellant and restored for fresh decision.

2. Accordingly, the impugned order dated 2nd June, 2016 is quashed and set aside qua the appellant and the matter is restored to the file of the WTM of SEBI for passing fresh order on merits and in accordance with law.

3. Appeal is disposed of in the aforesaid terms with no order as to costs.

Sd/-
Justice J.P. Devadhar
Presiding Officer

Sd/-
Dr. C.K.G. Nair
Member

07/03/2018
prepared & compared by-dg