
(2023) 03 SEBI CK 0046

In the Securities Appellate Tribunal Mumbai

Case No : Miscellaneous Application No. 314, 315 Of 2023, Appeal No. 300 Of 2023

Rajendra Prasad Rohit Kumar HUF

APPELLANT

Vs

Securities And Exchange Board Of India

RESPONDENT

Date of Decision : 29-03-2023

Acts Referred:

Citation : (2023) 03 SEBI CK 0046

Hon'ble Judges : Tarun Agarwala, Presiding Officer

Bench : Single Bench

Advocate : Ram Awatar Dhoot

Final Decision : Disposed Of/Dismissed

Judgement

Tarun Agarwala, Presiding Officer

1. The present appeal has been filed against the order dated December 28, 2021 passed by the Adjudicating Officer ('AO' for short) of the Securities and Exchange Board of India ('SEBI' for short) imposing a penalty of Rs. 5 lakh. There is a delay of 380 days in the filing of the appeal. The ground urged is, that he was consulting his lawyers and thereafter filed the appeal. We find from the perusal of the application for condonation of delay that the impugned order was received by him immediately after passing of the order. No explanation whatsoever has been given as to why he could not file the appeal earlier. In our opinion, there is an inordinate delay in the filing of the appeal.

2. Apart from the aforesaid, the controversy involved in the present appeal is squarely covered by the decision of this Tribunal in Global Earth Properties and Developers Pvt. Ltd. vs. SEBI Appeal No. 212 of 2020 decided on September 14, 2020.

3. In view of the aforesaid, the appeal is dismissed on the ground of inordinate delay. The miscellaneous application is disposed of.

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.