

(2020) 02 SEBI CK 0008

In the Securities Appellate Tribunal Mumbai

Case No : ?Appeal No. 504 Of 2019

Ramesh Chandra Gupta

APPELLANT

Vs

Securities And Exchange Board Of India And Others

RESPONDENT

Date of Decision : 24-02-2020

Acts Referred:

Citation : (2020) 02 SEBI CK 0008

Hon'ble Judges : Tarun Agarwala, Presiding Officer; Dr. C. K. G. Nair, Member; M. T. Joshi, J

Bench : Full Bench

Advocate : Abhishek Mishra, Anubhav Ghosh, Rashi Dalmia, Zalak Mody

Final Decision : Dismissed

Judgement

Tarun Agarwala, Presiding Officer

1. The appellant has filed the present appeal against the communication dated August 01, 2019 issued by Securities and Exchange Board of India

(â??SEBIâ?? for convenience) whereby the appellant was informed that his complaint was closed on the SCORES platform on March 20, 2018.

2. It transpires that the appellant made a complaint on September 04, 2017 which was forwarded by SEBI to National Stock Exchange of India

Limited (â??NSEâ?? for convenience). Action Taken Report was made on October 06, 2017 wherein the appellant was informed that the claim was

rejected since certified Manual Ledger from a Chartered Accountant was not submitted inspite of reminders and accordingly the complaint was

closed on March 20, 2018. This fact was in the knowledge of the appellant as is clear from paragraph 5.28 of the memorandum of appeal. We find

that thereafter nothing was done by the appellant and on February 05, 2019 a

certified copy of the Manual Ledger was sent which was not accepted by NSE as the complaint was closed as far back as on March 20, 2018. Against this communication dated August 01, 2019, the present appeal has been filed.

3. Having heard the learned counsel for the appellant, we find that there is an inordinate delay in filing the present appeal. Merely by making a fresh application on February 05, 2019 will not extend the period of limitation. Dismissed on the ground of laches.