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**(2020) 10 SEBI CK 0044**

**In the Securities Appellate Tribunal Mumbai**

**Case No :** Miscellaneous Application No. 609, 149 Of 2019, Appeal No. 90, 91 Of 2019

Rameshwar Shaw And Others

APPELLANT

Vs

Securities & Exchange Board Of India

RESPONDENT

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**Date of Decision :** 22-10-2020

**Acts Referred:**

**Citation :** (2020) 10 SEBI CK 0044

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

**Bench :** Full Bench

**Advocate :** Pritesh Burad, Chinmay Paradkar, Sukanya Ambonkar, Abhiraj Aroram Rashi Dalmia

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**Judgement**

1. We have heard Mr. Pritesh Burad, learned counsel assisted by Mr. Chinmay Paradkar and Ms. Sukanya Ambonkar, advocates for the appellants

and Mr. Abhiraj Arora, learned counsel assisted by Ms. Rashi Dalmia, advocate for the respondent through video conference.

2. There is a delay of 304 days in filing the appeal. The contention of the appellants is that they were never served with the impugned order and only

came to know when the recovery proceedings were initiated. The learned counsel on the merits of the case further stated that the impugned order is

an ex-parte order and they were not served with the show cause notice. A reply has been filed by the respondent and upon a perusal we find that the

same is inadequate. We accordingly, grant 10 days time to the respondent to file a supplementary affidavit. A week thereafter to the appellants to file

supplementary rejoinder. The matters would be listed on November 24, 2020.

3. Parties are directed to take instructions from the Registrar 48 hrs. before the

date fixed in order to find out as to whether the matter would be taken up for hearing through video conference or through physical hearing.

4. The present matters were heard through video conference due to Covid-19 pandemic. At this stage it is not possible to sign a copy of this order nor a certified copy of this order could be issued by the Registry. In these circumstances, this order will be digitally signed by the Presiding Officer on behalf of the bench and all concerned parties are directed to act on the digitally signed copy of this order. Parties will act on production of a digitally signed copy sent by fax and/or email.