IN THE SECURITIES APPELLATE TRIBUNAL AT MUMBAI

DATED THIS THE 9th DAY OF MARCH, 2026

CORAM : Justice P. S. Dinesh Kumar, Presiding Officer
Ms. Meera Swarup, Technical Member
Dr. Dheeraj Bhatnagar, Technical Member

Appeal No. 547 of 2025
And
Misc. Application No. 1354 of 2025

Between

Sunil Purohit
Venus Apartment
First Floor, Room No. 103,
Near Vishnu Hotel,
Opp. Sai Baba Mandir,
Ulhasnagar – 421 001. …. Appellant

By Mr. Vikas Bengani, Advocate for the Appellant.

And

Securities and Exchange Board of India
SEBI Bhavan,
Plot No. C-4A, G Block,
Bandra Kurla Complex,
Bandra (East), Mumbai - 400 051. …. Respondent

By Mr. Ravishekhar Pandey, Advocate with Mr. Mohit Sharma, Advocate i/b Agama Law Associates for the Respondent.

THIS APPEAL IS FILED UNDER SECTION 15T OF SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992, TO SET ASIDE ORDER DATED AUGUST 8, 2018 (EX-A) PASSED BY AO, SEBI.

THIS APPEAL COMING ON FOR HEARING THIS 9TH DAY OF MARCH 2026, THIS TRIBUNAL PASSED THE FOLLOWING:

O R D E R

Per : Justice P. S. Dinesh Kumar, Presiding Officer (Oral)

We have heard Mr. Vikas Bengani, learned advocate for the appellant and Mr. Ravishankar Pandey, learned advocate for the Respondent.

2. There is delay of more than six years in filing of this appeal.

3. The facts of the case are the appellant is alleged to have indulged in circular trading in the shares of M/s. K. Sera Sera Productions Limited in the year 2005.

4. Mr. Bengani submitted that he had appeared before the SEBI authorities in the adjudication proceedings. He had sent an email indicating the change of address. However, the final order was not served upon him. Hence, there is delay in filing of this appeal.

5. He submitted that in respect to seven other noticees who are also alleged to have been involved in circular trading in the very same scrip, SEBI has imposed a penalty in the range of Rs. 50,000/- to Rs. 2 Lakhs. In the instant case, the penalty of Rs. 6 Lakhs has been imposed, which is grossly disproportionate.

6. Mr. Pandey, learned advocate for the respondent submitted that the ground urged for condonation of delay is untenable because SEBI initiated the prosecution proceedings in the very same violation and appellant has responded to the said proceedings and has entered appearance before the Special Court since January 20, 2020. However, this appeal is filed in the year 2025 after a

lapse of 5 years and therefore, the ground for delay is not tenable.

7. We have considered the rival submissions and perused the record.

8. Firstly, it is not in dispute that the appellant had sent an email to the SEBI indicating the change of address. It is also not denied that appellant has been attending the Special Court since 2020. Thus, the appellant had knowledge of the impugned order.

9. On the merits of the case, in the tabular column mentioned at page Nos. 19 and 20 in the memorandum of appeal, the penalty imposed on seven other noticees who were also alleged to have indulged in similar violation, are in the range of Rs. 50,000/- to Rs. 2 Lakhs. It is true that appellant has approached this Tribunal belatedly but the quantum of the penalty imposed on similarly placed noticees is much less. Mr. Pandey, learned advocate for the respondent submitted that this is an old matter and quietus may be given.

10. In the light of the fact that penalty imposed upon the appellant is much higher than compared with others who have traded in this scrip, we are of the view that matter needs consideration on merits.

11. Mr. Bengani, learned advocate for the appellant submitted that the minimum penalty of Rs. 50,000/- may be imposed. We are not persuaded to accept that submission because the appellant had knowledge of this order as early as in 2020. The tabular column in paragraph No. 6.19, the memorandum of appeal shows the maximum penalty imposed is of Rs. 2 Lakhs in one case.

12. Mr. Bengani submitted that Rs. 2 Lakhs has been imposed on the broker but in respect to other noticees, the penalty is in the range of Rs. 50,000/- to Rs. 75,000/-. In the light of the fact that the appellant has been attending the Special Court since 2020, Mr. Bengani also submitted that this Tribunal may consider giving quietus by imposing penalty of Rs. 1,50,000/-.

13. Mr. Bengani undertakes to deposit the amount of Rs. 1,50,000/- (including interest) within four weeks without treating this order as precedent.

14. In view of the above, the following order:

ORDER

i. Delay is condoned.

ii. The appeal is ***allowed in part*** and penalty is reduced to Rs. 1,50,000/- payable within four weeks from today.

iii. Pending interlocutory application(s), if any, stand disposed of.

iv. No costs.

Justice P. S. Dinesh Kumar
Presiding Officer

Ms. Meera Swarup
Technical Member

Dr. Dheeraj Bhatnagar
Technical Member

09.03.2026
VPM

MRS PRAMILA Digitally signed by MRS PRAMILA Date: 2026.03.12 12:33:15 +05'30'