

IN THE SECURITIES APPELLATE TRIBUNAL AT  
MUMBAI

**Date: 02.09.2024**

**Misc. Application No. 955 of 2024**  
**And**  
**Appeal No. 547 of 2024**

Lotus Global Investments Ltd. ...Appellant

Versus

Securities and Exchange Board of India ...Respondent

Mr. Janak Dwarkadas, Senior Advocate i/b Mr. P R Ramesh,  
Advocate for the Appellant.

Mr. J. P. Sen, Senior Advocate with Mr. Mihir Mody,  
Mr. Harshvardhan Melanta, Mr. Yash Sutaria and Mr. Tushar  
Bansode, Advocates i/b. M/s. K. Ashar & Co. for the  
Respondent.

**AND**  
**Misc. Application No. 956 of 2024**  
**And**  
**Appeal No. 548 of 2024**

LTS Investment Fund Ltd. ...Appellant

Versus

Securities and Exchange Board of India ...Respondent

Mr. Pesi Mody, Senior Advocate with Mr. Joby Mathew,  
Mr. Aditya Joby, Advocates i/b Mr. P R Ramesh, Advocate for  
the Appellant.

Mr. J. P. Sen, Senior Advocate with Mr. Mihir Mody,  
Mr. Harshvardhan Melanta, Mr. Yash Sutaria and Mr. Tushar  
Bansode, Advocates i/b. M/s. K. Ashar & Co. for the  
Respondent.

**ORDER:**

Urgency applications have worked for themselves and accordingly disposed of.

2. Heard Shri Janak Dwarkadas, learned Senior Advocate and Shri Pesi Modi, learned Senior Advocate appearing for the appellants and Shri J. P. Sen, learned Senior Advocate appearing for the respondent. This matter was taken up on August 30, 2024 and adjourned to enable the learned Advocate for the respondent to complete instructions and to make submissions as to whether SEBI<sup>1</sup> could consider to extend the time granted for selling appellants' shares.

3. Learned Senior Advocate, on instructions submitted today that the SEBI is not in a position to consider appellants request.

4. Learned Senior Advocates Shri Dwarkadas and Shri Modi submitted that the resultant position is that the appellants are required to liquidate their Indian listed securities in accordance with the circular dated August 23, 2023 read with the master circular dated June 05, 2024. The share values being very high

---

<sup>1</sup> Securities and Exchange Board of India

the appellants would not be in a position to liquidate the same in five working days.

5. Learned Senior Advocate for the SEBI sought time to file replies in the appeals.

6. Shri Dwarkadas submitted that the value of shares in Appeal No. 547 of 2024 is about Rs. 700 Crores and Shri Modi submitted that the value of shares in Appeal No. 548 of 2024 is about Rs. 3000 crores.

7. In substance the contentions urged on behalf of the appellants is that the DDP<sup>2</sup> has not issued the validation certificate and, therefore, the appellants had to approach the SEBI for a direction against the DDP to issue the certificate. Both the appellants have made applications on March 11, 2024 and also sent reminders. The rejection order is dated 27.08.2024 received on 29.08.2024.

8. Shri Modi submitted that appellant in Appeal No. 548 of 2024 has not received any communication from SEBI. The time period to liquidate the shares is 180 days.

---

<sup>2</sup> Designated Depository Participant

9. Admit.

10. Reply be filed within three weeks. Rejoinder, if any, be filed in three weeks thereafter.

11. Learned Senior Advocate for the SEBI, on instruction submitted that the SEBI, on its own is not proposing to take any action. He further submitted that the same shall be without prejudice to any consequence that may flow from the aforementioned circulars. Call on 10.09.2024.

Justice P. S. Dinesh Kumar  
Presiding Officer

Dr. Dheeraj Bhatnagar  
Technical Member

02.09.2024  
PK