

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 599-600 OF 2020

SUJOY SINHA

Appellant(s)

VERSUS

SECURITIES AND EXCHANGE BOARD OF INDIA

Respondent(s)

O R D E R

These appeals are against the Judgment and order dated 26.8.2019 passed by the Securities and Exchange Appellate Tribunal, Mumbai in Misc. Application No. 256/2019 and Appeal No.253/2019, whereby the learned Appellate Tribunal has rejected the application of the Appellant for condonation of delay and has dismissed the appeal filed by the appellant on the ground of delay of 1127 days. The only cause shown by the Appellant in support of the application for condonation of delay was that the Appellant had been waiting for the disposal of his representation before the SEBI.

We have gone through the well reasoned order of the Appellate Tribunal. The Appellate Tribunal has found that the appellant had duly been represented in the proceedings before the WTM (Whole Time Member) of SEBI. The Appellant had been aware of the order that had been passed against him. If, instead of filing the appeal, the appellant chose to make a

representation, such representation would not extend the period of limitation. Even though the final order was ex-parte, the Appellant had duly been served. If the Appellant chose not to appear, the appellant took the risk of the consequences of non-appearance.

In our considered opinion, the judgment and order under appeal does not call for any interference. The appeals are, accordingly, dismissed.

.....J.
[INDIRA BANERJEE]

.....J.
[SANJIV KHANNA]

New Delhi;
January 31, 2020.

ITEM NO.11

COURT NO.16

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 599-600/2020

SUJOY SINHA

Appellant(s)

VERSUS

SECURITIES AND EXCHANGE BOARD OF INDIA

Respondent(s)

(IA No.5222/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.5221/2020-EX-PARTE STAY and IA No.5218/2020-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS and IA No.5220/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 31-01-2020 These appeals were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE SANJIV KHANNA

For Appellant(s) Mr. Shatadru Chakraborty, Adv.
Ms. Sonia Dube, Adv.
Ms. Kanchan Yadav, Adv.
for M/s. Legal Options

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The appeals are dismissed in terms of the signed order.

Pending interlocutory application(s), if any, is/are disposed
of.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER

(Signed order is placed on the file)