

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 7136/2009

SECURITIES AND EXCHANGE BOARD OF INDIA

Appellant(s)

VERSUS

SHINGAR LTD.

Respondent(s)

O R D E R

On hearing learned counsel for the parties we believe that the view taken by the Securities Appellate Tribunal is correct in view of the fact that the very trigger for issuing the notice under inquiry in terms of Rule 4(3) of SEBI (Procedure for Holding Inquiry and Imposing penalties by Adjudicating Office) Rules, 1995 vide 22.8.2007 is predicated on the respondent not having filed a reply while un-disputedly the reply had been filed much prior to that date. Thus, it is a clear case of non-application of mind at that stage and joining the proceedings subsequently will not remedy the non-application which has occurred earlier.

On this short ground alone, we are not inclined to entertain this appeal.

The appeal stands dismissed.

.....J.
(SANJAY KISHAN KAUL)

.....J.
(SUDHANSHU DHULIA)

NEW DELHI
December 06, 2023

ITEM NO.108

COURT NO.2

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). 7136/2009

SECURITIES AND EXCHANGE BOARD OF INDIA

Appellant(s)

VERSUS

SHINGAR LTD.

Respondent(s)

Date : 06-12-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Appellant(s) Mr. N. Venkataraman, ASG
Mr. Pratap Venugopal, Adv.
Ms. Surekha Raman, Adv.
Mr. Abhishek Anand, Adv.
Mr. Shreyash Kumar, Adv.
Ms. Unnimaya S., Adv.
M/S. K. J. John And Co, AOR

For Respondent(s) Mr. Aman Jha, Adv.
Ms. Shubha Yadav, Adv.
Mr. Gaurav Prakash Shah, Adv.
Mr. Rishi Tutu, Adv.
Mr. R. C. Kohli, AOR

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

The appeal stands dismissed in terms of the signed order.

Pending application, if any, stands disposed of.

(RASHMI DHYANI PANT)
COURT MASTER

(POONAM VAID)
COURT MASTER

(signed order is placed on the file)