

BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI

Date of Decision : 27.08.2020

Misc. Application No. 197 of 2020

In

Misc. Application No. 187 of 2016

(Intervention Application)

AND

Appeal No. 193 of 2015

DLF Limited

...Appellant

Versus

Securities and Exchange Board of India

...Respondent

In the matter of:

Kimsuk Krishna Sinha

...Applicant

Mr. Akshay Doctor, Advocate with Mr. Parag Sawant and Mr. Chandresh Rao, Advocates i/b P.S. Chambers for the Applicant.

Ms. Ritu Bhalla, Advocate with Mr. Manu Krishna and Mr. Yajur Mittal, Advocate i/b Shardul Amarchand Mangaldas & Co. for the Appellant.

Mr. Anubhav Ghosh, Advocate i/b The Law Point for the Respondent.

CORAM : Justice Tarun Agarwala, Presiding Officer

Dr. C.K.G. Nair, Member

Justice M.T. Joshi, Judicial Member

Per : Justice Tarun Agarwala, Presiding Officer (Oral)

1 Appeal No. 193 of 2015 DLF Limited vs Securities and Exchange Board of India was decided by an order of this Tribunal dated April 25, 2018. Paragraph 5 of the order is extracted hereunder for ready reference:-

“5. In these circumstances, without going into the merits of the case, we dispose of these appeals as also the Intervention Application with a direction that these appeals as also the Intervention Application shall stand automatically revived once the Apex Court disposes of the Civil Appeals filed by SEBI against the decision of this Tribunal dated March 13, 2015.”

2 The present application has been filed praying that the applicant may be permitted to withdraw their Intervention Application No. 187 of 2016 that they are not inclined to press that application.

3 In our opinion, the said application having been disposed of by an order dated April 25, 2018 cannot be withdrawn through this application. The Misc. Application filed for withdrawal of the Intervention Application is misconceived and is rejected in limini.

4 The present matter was 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.

Justice Tarun Agarwala
Presiding Officer

Dr. C.K.G. Nair
Member

Justice M.T. Joshi
Judicial Member

27.08.2020
msb