

BEFORE THE SECURITIES APPELLATE TRIBUNAL  
MUMBAI

**Date of Decision : 15.09.2022**

**Misc. Application No. 983 of 2022**  
**And**  
**Misc. Application No. 984 of 2022**  
**And**  
**Appeal No. 555 of 2022**

Philomena Helen Dsouza  
C 10, Diamond Estates,  
CST Road, Kalina,  
Santacruz East,  
Mumbai – 400 098

.....Appellant

Versus

National Stock Exchange of India Ltd.  
Exchange Plaza, C-1, Block G,  
Bandra Kurla Complex,  
Bandra (E), Mumbai – 400 051.

...Respondent

Mr. Kamal Agrawal, FCA for the Appellant.

Mr. Gaurav Joshi, Senior Advocate with Mr. Rashid Boatwalla and Mr. Juan D'Souza, Advocates i/b MKA & Co. for the Respondent.

CORAM : Justice Tarun Agarwala, Presiding Officer  
Justice M.T. Joshi, Judicial Member  
Ms. Meera Swarup, Technical Member

Per : Justice Tarun Agarwala, Presiding Officer (Oral)

1. There is a delay in the filing of the appeal. For the reasons stated in the application, the delay is condoned.

The application is allowed.

2. The learned senior counsel for the respondent Shri Gaurav Joshi states that the Defaulters Committee of NSE will reconsider the matter. In the light of the aforesaid statement the impugned order is set aside. The appeal is allowed. The matter is remitted to the Defaulters Committee to pass a fresh order after considering the documents that will be filed by the appellant within two weeks from today. The exemption application is also disposed of.

3. This order will be digitally signed by the Private Secretary on behalf of the bench and all concerned parties are directed to act on the digitally signed copy of this order. Certified copy of this order is also available from the Registry on payment of usual charges.

Justice Tarun Agarwala  
Presiding Officer

Justice M.T. Joshi  
Judicial Member

Ms. Meera Swarup  
Technical Member

15.09.2022  
msb