

**IN THE SECURITIES APPELLATE TRIBUNAL
MUMBAI**

Appeal No. 151 of 2006

Along with

Misc. Application No.41 of 2007

Date of decision : 7.12.2007

Reliance Share and Stock Brokers Private Limited Appellant

Versus

Securities and Exchange Board of India Respondent

Mr. Vinay Chauhan Advocate for the Appellant.

Mr. Kumar Desai Advocate with Ms. Sejal Shah Advocate for the Respondent.

Coram : Justice N.K. Sodhi, Presiding Officer

Arun Bhargava, Member

Utpal Bhattacharya, Member

Per : Justice N.K. Sodhi, Presiding Officer (Oral)

This appeal is directed against the order dated December 11, 2006 passed by the whole time member of the Securities and Exchange Board of India (for short the Board) suspending the certificate of registration of the appellant as a stock broker for a period of four months.

During the pendency of the appeal the appellant filed an application for a consent order before the Board which was put up before the High Powered Advisory Committee seeking its approval in terms of its circular dated April 20, 2007. The terms of settlement as proposed by the appellant were examined by the aforesaid Committee which has recommended that the dispute with the appellant be settled on payment of Rs.50 lacs. The approval of the Committee was considered by the two whole time members of the Board who have, in principle, agreed to accept the terms recommended by the Committee.

In view of the aforesaid, the appellant has filed the present application in terms of the aforesaid circular with a prayer that the appeal be disposed of as per the terms arrived at between the parties and approved by the Committee and the Board.

It was during the course of an inspection that the Board found that the appellant had committed some serious irregularities in the conduct of its business as a stock broker. Accordingly, the certificate of registration was suspended for a period of four weeks.

We have heard the learned counsel for the parties and have examined the consent terms. We have also perused the original record produced by the learned counsel for the respondent.

In the facts and circumstances of the case, it is just and equitable to dispose of the appeal on the consent terms as approved by the Committee. We order accordingly.

The appeal and the application stand disposed of as above.

Justice N.K. Sodhi
Presiding Officer

Arun Bhargava
Member

Utpal Bhattacharya
Member

7.12.2007

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