National Stock Exchange of India
Circular

Department: Investigation	
Download Ref No: NSE/INVG/60191	Date: January 9,2024
Circular Ref. No: 270/2024	

To All NSE Members,

Sub: SAT Order in the matter of Sadhna Broadcast Limited & Sharpline Broadcast Limited

This is with reference to NSE circular no. NSE/INVG/58833 dated October 09, 2023 in reference to SAT order dated October 09, 2023 wherein the SAT has restrained following entities from trading in scrips of Sadhna Broadcast Limited & Sharpline Broadcast Limited.

Sr.no.	Name	PAN	Name of Scrip Restrained
1	Jatin Manubhai Shah	AEGPS5807M	Sadhna Broadcast Limited & Sharpline Broadcast Limited
2	Angad Ishwarlal Rathod	CIUPR1814B	Sadhna Broadcast Limited & Sharpline Broadcast Limited
3	Heli Jatin Shah	BXYPS2148P	Sadhna Broadcast Limited & Sharpline Broadcast Limited
4	Daivik Jatin Shah	BXYPS2715J	Sadhna Broadcast Limited & Sharpline Broadcast Limited
5	Ashok Kumar Agrawal	AFEPA2109P	Sharpline Broadcast Limited
6	Anshu Aggarwal	AMFPA0593B	Sharpline Broadcast Limited
7	Anshul Aggarwal	AFUPA3575P	Sharpline Broadcast Limited
8	Hemant Dusad	AFYPD4892E	Sharpline Broadcast Limited
9	Anshul Aggarwal Co HUF	AAQHA3574F	Sharpline Broadcast Limited

Now, SAT vide order dated January 8, 2024 has directed that miscellaneous application made by above entities are disposed of allowing SEBI to complete the investigation and issue show cause notice, as prayed by March 31, 2024. If the investigation is not completed and show cause notice not issued by March 31, 2024, it will be open to the appellants to trade in the scrips in question and to withdraw the amount deposited pursuant to the order of this Tribunal.

This Order shall come into force with immediate effect.

The detailed order is available on SEBI website (https://sat.gov.in/scripts/search.asp).

Further, the consolidated list of such entities is available on the Exchange website http://www.nseindia.com home page at the below mentioned link:

https://www.nseindia.com/regulations/member-sebi-debarred-entities

Members are advised to take note of the above and ensure compliance.

In case of any further queries, members are requested to email us at dl-invsg-all@nse.co.in

For and on behalf of
National Stock Exchange of India Limited

Sandesh Sawant
Senior Manager

ANNEXURE: SAT Order in the matter of Sadhna Broadcast Limited & Sharpline Broadcast Limited

BEFORE THE SECURITIES APPELLATE TRIBUNAL MUMBAI

Order Reserved on : 04.01.2024

Date of Decision : 08.01.2024

Misc. Application No. 1682 of 2023
And
Misc. Application No. 1683 of 2023
In
Appeal No. 672 of 2023

Hemant Dusad
House No. 19, First Floor,
Vrindavan Enclave,
Sector – 12, Vasundhara,
Ghaziabad – 201 012. …Appellant

Versus

Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East), …Applicant
Mumbai – 400 051. (Orig. Respondent)

Mr. Vikas Bengani, Advocate for the Appellant.

Mr. Pradeep Sancheti, Senior Advocate with Ms. Nidhi Singh, Ms. Deepti Mohan, Mr. Nishin Shrikhande, Ms. Komal Shah, Mr. Harish Ballani, Ms. Hubab Sayyed, and Ms. Nidhi Faganiya, Advocates i/b Vidhii Partners for the Respondent.

AND
Appeal No. 673 of 2023

1. Anshul Aggarwal
2. Ashok Kumar Agrawal
   (Through his son Mr. Anshul Aggarwal)
3. Anshu Aggarwal
4. Anshul Aggarwal CO HUF

   J-402, BPTP Park,
   Grandeura Sector – 82,
   Faridabad,
   Haryana – 121 004. …Appellants

Versus

Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East), …Applicant
Mumbai – 400 051. (Orig. Respondent)

Mr. Kunal Katariya, Advocate with Mr. Vikas Bengani, Advocate for the Appellants.

Mr. Pradeep Sancheti, Senior Advocate with Ms. Nidhi Singh, Ms. Deepti Mohan, Mr. Nishin Shrikhande, Ms. Komal Shah, Mr. Harish Ballani, Ms. Hubab Sayyed, and Ms. Nidhi Faganiya, Advocates i/b Vidhii Partners for the Respondent.

AND

Appeal No. 674 of 2023

Angad M Rathod
94, Samit Nagar,
Maheshwari Nagar Part 2,
Odhav, Ahmedabad – 382 415 …Appellant

Versus

Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East), …Applicant
Mumbai – 400 051. (Orig. Respondent)

Mr. Kunal Katariya, Advocate with Mr. Vikas Bengani, Advocate for the Appellants.

Mr. Pradeep Sancheti, Senior Advocate with Ms. Nidhi Singh, Ms. Deepti Mohan, Mr. Nishin Shrikhande, Ms. Komal Shah, Mr. Harish Ballani, Ms. Hubab Sayyed, and Ms. Nidhi Faganiya, Advocates i/b Vidhii Partners for the Respondent.

AND

Appeal No. 675 of 2023

Jatin Manubhai Shah
A/4, Shashwat Flat,
Near Hirabaugh Crossing,
Ambawadi,
Ahmedabad – 380 006. …Appellant

Versus

Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East), …Applicant
Mumbai – 400 051. (Orig. Respondent)

Mr. Kunal Katariya, Advocate with Mr. Vikas Bengani, Advocate for the Appellants.

Mr. Pradeep Sancheti, Senior Advocate with Ms. Nidhi Singh, Ms. Deepti Mohan, Mr. Nishin Shrikhande, Ms. Komal Shah, Mr. Harish Ballani, Ms. Hubab Sayyed, and Ms. Nidhi Faganiya, Advocates i/b Vidhii Partners for the Respondent.

AND
Appeal No. 676 of 2023

Daivik Jatin Shah
A/4, Shashwat Flat,
Near Hirabaugh Crossing,
Ambawadi,
Ahmedabad – 380 006. …Appellant

Versus

Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East), …Applicant
Mumbai – 400 051. (Orig. Respondent)

Mr. Kunal Katariya, Advocate with Mr. Vikas Bengani, Advocate for the Appellants.

Mr. Pradeep Sancheti, Senior Advocate with Ms. Nidhi Singh, Ms. Deepti Mohan, Mr. Nishin Shrikhande, Ms. Komal Shah, Mr. Harish Ballani, Ms. Hubab Sayyed, and Ms. Nidhi Faganiya, Advocates i/b Vidhii Partners for the Respondent.

AND
Appeal No. 677 of 2023

Heli Jatin Shah
A/4, Shashwat Flat,
Near Hirabaugh Crossing,
Ambawadi,
Ahmedabad – 380 006. …Appellant

Versus

Securities and Exchange Board of India,
SEBI Bhavan, Plot No. C-4A, G-Block,
Bandra-Kurla Complex, Bandra (East), …Applicant
Mumbai – 400 051. (Orig. Respondent)

Mr. Kunal Katariya, Advocate with Mr. Vikas Bengani, Advocate for the Appellants.

Mr. Pradeep Sancheti, Senior Advocate with Ms. Nidhi Singh, Ms. Deepti Mohan, Mr. Nishin Shrikhande, Ms. Komal Shah, Mr. Harish Ballani, Ms. Hubab Sayyed, and Ms. Nidhi Faganiya, Advocates i/b Vidhii Partners for the Respondent.

CORAM : Ms. Meera Swarup, Technical Member

Per : Ms. Meera Swarup, Technical Member

1. Heard the learned counsel for the parties on Miscellaneous Applications No. 1682 and 1683 of 2023 filed by the original respondent (SEBI).

2. The original appellants had preferred Appeal Nos. 672 to 677 of 2023 against the impugned order dated July 11, 2023 passed by the Whole Time Member (‘WTM’ for short) of the Securities and Exchange Board of India (‘SEBI’ for short) confirming the *ex parte ad interim* order dated March 2, 2023. This Tribunal by an order dated October 9, 2023 issued certain directions which are extracted as under:-

> *"24. The directions contained in the ad interim order and confirmatory order against the appellants is bereft of any evidence. Balance of convenience is required to be considered at this stage. Considering the aforesaid, we issue the following directions:-*
>
> *(i) The impugned orders are set aside insofar as the appellants are concerned.*
>
> *(ii) The appellants are restrained from trading in the scrip in question during the pendency of the investigation.*
>
> *(iii) The deposit of the unlawful gains will continue till final order is passed, if any, by the WTM.*
>
> *(iv) If the investigation is not completed and show cause notice, if any, is not issued on or before December 31, 2023 the aforesaid directions would come to an end automatically and it will be open to the appellants to trade in the scrip in question and withdraw the amount deposited pursuant to the order of the Tribunal.*
>
> *(v) Any observation, findings given in this order is only tentative in nature and will not affect the investigation. Further, neither party will rely upon any observation / finding in any proceedings before any authority."*

3. As per the aforesaid directions, the Tribunal had directed SEBI to complete the investigation by December 31, 2023. SEBI has now moved an application seeking further time till March 31, 2024 as the investigation are still going on. SEBI listed out a number of hurdles being faced by them during the investigation due to which the investigation could not be completed by December 31, 2023. These include non-cooperation by few entities to whom summons were issued

seeking information and for recording of statement, non-availability of officers for investigation due to them being involved in parallel investigations, increase in number of suspected entities based on investigation conducted so far and voluminous data obtained during search and seizure requiring detailed analysis.

4. The original appellants, on the other hand, opposed the application for seeking extension of time for completion of the investigation. The learned counsel of the appellants urged that order dated October 9, 2023 of this Tribunal is self-operative in the sense that as of December 31, 2023 the directions have come to an end. They urged that as SEBI could not complete the investigation and issue show cause notice by December 31, 2023, the entire confirmatory order stands aside. They further urged that SEBI should have approached this Tribunal earlier and that there were factual mistakes in the miscellaneous application regarding non-cooperation by the suspected entities, the summons to two of the suspected entities were received by them on December 19, 2023 while the hearing was on December 18, 2023.

5. The learned senior counsel for the SEBI urged that they had approached this Tribunal much before December 31, 2023,

however, due to administrative reasons the miscellaneous application could not be heard by the Tribunal before the date. Urging that this was an application for extension of time for completing investigation, the learned senior counsel emphasized it cannot be construed as an review petition. There were no factual errors in the application filed as e-mail reminders for personal appearance were sent to the suspected entities. SEBI had put in all out efforts to complete the investigation but when it became clear that it is not likely to be completed by December 31, 2023, SEBI had no alternative but to approach this Tribunal seeking extension of time.

6. Having heard the learned counsel for the parties, in the interest of justice, miscellaneous application is disposed of allowing SEBI to complete the investigation and issue show cause notice, as prayed, by March 31, 2024. If the investigation is not completed and show cause notice not issued by March 31, 2024, it will be open to the appellants to trade in the scrips in question and to withdraw the amount deposited pursuant to the order of this Tribunal

Ms. Meera Swarup
Technical Member

08.01.2024
msb