

**IN THE SECURITIES APPELLATE TRIBUNAL
AT MUMBAI**

DATED THIS THE 04TH DAY OF SEPTEMBER, 2026

**Appeal No.256 of 2026
[Along with Misc. Application No.754
of 2026]**

Goenka Business and Finance Ltd. Appellant

(By Ms. Ashim Sood, Advocate with Mr. Kunal Katariya, Mr. Shubham Dhamnaskar and Ms. Sakshi Doshi, Advocates i/b. PDS Legal for the Appellant.)

Securities and Exchange Board of India Respondent

(By Chetan Kapadia, Senior Advocate with Ms. Nidhi Singh, Ms. Komal Shah, Ms. Nidhi Faganiya and Mr. Owais Khan, Advocates i/b. Vidhii Partners for the Respondent.)

ORDER ON INTERIM RELIEF

Per: Justice P.S. Dinesh Kumar, Presiding Officer

Appellant, Goenka Business and Finance Limited ('Company' for short) is a listed Company and an NBFC¹. It has challenged the order dated 30.06.2026 passed by the WTM²,

¹ Non-Banking Financial Company

² Whole Time Member

SEBI³ imposing a penalty of ₹1 Crore and debarring the appellant from accessing the securities market for a period of 5 years.

2. We have heard Mr. Ashim Sood learned Advocate for appellant and Mr. Chetan Kapadia, learned Senior Advocate for SEBI.

3. Mr. Sood, learned Advocate for the appellant submitted that appellant runs two distinct businesses, namely trading in securities and an NBFC registered with RBI. He submitted that the impugned order has serious adverse consequences on the appellant and urged following grounds:

- The alleged transactions are of the year 2019-20;
- SEBI passed an interim order cum SCN⁴ dated 19.06.2023, but appellant was not restrained from accessing the securities market;
- Para 639 of the impugned order shows that debarment has been ordered to achieve the object of punishment and deterrence. In the event appellant succeeds after final hearing, it cannot be compensated. Hence the balance of the convenience is in appellant's favour;
- In Malay Bhow's⁵ appeal arising out of the same impugned order, this Tribunal has stayed the impugned order subject to deposit of 50%; and

³ Securities and Exchange Board of India

⁴ Show Cause Notice

⁵ Appeal No. 249 of 2026, Order dated 03.08.2026

- There is no finding of appellant making illegal gains.

4. In reply, Mr. Kapadia, learned Senior Advocate for SEBI, advertg to para 26 of the interim order cum SCN⁶ submitted that one Hanif Shekh was the master mind and Malay Bhow was the first contact. Fund transactions have taken place between Malay Bhow and the appellant Company. Appellant has traded in two scrips i.e. Mauria Udyog Limited and Vishal Fabrics Limited, therefore, the ground of parity with the interim order in the case of Malay Bhow is untenable. He further submitted that appellant is a listed company and also an NBFC registered with RBI. It has committed flagrant violations and shall not be entitled for stay of debarment.

5. We have carefully considered rival contentions and perused the records.

6. We have perused the schematic representation of connections between the entities allegedly involved in the instant transactions (in para 26 of the interim order cum SCN) which alleges fund transfers/transactions between Malay Bhow and the appellant Company; and subsequent noticees.

7. Mr. Sood submitted that no restraint order was passed against the appellant at the interim stage. Mr. Kapadia's reply is, appellant is registered with SEBI and a listed company. It is also

⁶ dated 19.06.2023

an NBFC. Hence, no immediate drastic action was taken against the appellant. Once it was established that the appellant had involved in the alleged acts of price volume manipulation, appellant has been debarred from accessing the securities market, in addition to imposing commensurate penalty.

8. Appellant has furnished its business (as on FY 2025-26) as follows:

<i>Volume of trading in equity and F&O</i>	<i>Shares: Rs.281.79 crores F&O: Rs.106.06 crores</i>
<i>Share portfolio</i>	<i>Rs.57.66 crore</i>
<i>Loan portfolio</i>	<i>Rs.320.96 crore</i>

9. Admitted position is, while passing the interim order, appellant was not restrained from accessing the securities market. In para 639 of the impugned order, the WTM, SEBI has expressly recorded that debarment has been ordered to achieve the objective of punishment and deterrence. Appellant is an NBFC and also trades in securities. The NBFC portfolio is ₹320 Crores and share portfolio is ₹57.66 Crores for F.Y. 2025-26. In our view, pending consideration of final hearing the debarment deserves to be stayed subject to deposit of full penalty.

10. Appellant has also claimed parity with Malay Bhow's case. The order in Malay Bhow's case was based on a finding recorded by us that Malay Bhow had not traded. The appellants who have filed appeals subsequently have urged the ground of parity. We

make it clear that this order is passed on the facts of this case and shall not be treated as precedent.

11. In the result, the interim prayer is **allowed** and the impugned order shall remain stayed subject to deposit of full penalty within four weeks and the said amount shall be kept in an interest bearing account by the SEBI. Since impugned order has been fully stayed subject to conditions stipulated, we grant liberty to the SEBI to move for expeditious/out of turn hearing once the pleadings are complete.

Justice P.S. Dinesh Kumar
Presiding Officer

Ms. Meera Swarup
Technical Member

Dr. Dheeraj Bhatnagar
Technical Member

04.09.2026
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