

BEFORE THE SECURITIES APPELLATE TRIBUNAL  
MUMBAI

**Appeal No. 48 of 2011**

**Date of Decision : 26.04.2011**

M/s. C.R. Jain & Co.  
Stock & Share Brokers through its  
Proprietor Smt. Chand Rani Jain  
having Office at 142-B, Katra Mashru,  
Dariba Kalan, Chandni Chowk,  
Delhi – 110 006.

...Appellant

Versus

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

2) Delhi Stock Exchange Ltd.  
DSE House, 3/1, Asaf Ali Road,  
New Delhi – 110 002.

...Respondents

Mr. Ravikumar Varanasi, Advocate with Mr. Deepak Rane, Advocate for the Appellant.

Dr. Poornima Advani, Advocate with Mr. Ajay Khaire and Mr. Anshuman Kaushik, Advocates for Respondent no. 1.

None for Respondent no. 2.

CORAM : Justice N.K. Sodhi, Presiding Officer  
P.K. Malhotra, Member  
S.S.N. Moorthy, Member

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

The dispute herein is in regard to the broker fee payable by the appellant. An enquiry was held in which the liability of the appellant was determined and it is fairly stated before us that copy of the enquiry report was not furnished to the appellant nor was she associated with the enquiry. In this view of the matter, we set aside the impugned order qua the appellant and remit the case back to the whole time

member for passing a fresh order in accordance with law after furnishing a copy of the enquiry report and allowing the appellant to file her reply, if any. Since the matter is more than 5 years old, we direct that the final order be passed expeditiously but not later than August 31, 2011. The appeal stands disposed of as above with no order as to costs.

Sd/-  
Justice N.K. Sodhi  
Presiding Officer

Sd/-  
P.K. Malhotra  
Member

Sd/-  
S.S.N. Moorthy  
Member

26.4.2011

Prepared and compared by:  
msb