

**BEFORE THE SECURITIES APPELLATE TRIBUNAL
MUMBAI**

Appeal No. 162 of 2011

Date of decision: 13.10.2011

V. Natarajan
Old # 48-A, New # 42,
Mahadevan street, West Mambalam
Chennai- 600 033

.....Appellant

Versus

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

..... Respondent

Mr. J. J. Bhatt, Advocate for the Appellant.

Mr. Shiraz Rustomjee, Senior Advocate with Ms. Daya Gupta and Ms. Harshada Nagare, Advocates for the Respondent.

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 appellant was the chairman cum whole time director of a company called Pyramid Saimira Theater Ltd. During the financial year 2007-08, company is said to have inflated its revenues and profits by fictitious entries in account and disclosed the same in quarterly and annual accounts to the stock exchanges. It was alleged that this was done with a view to lure the unsuspecting investors to invest in the shares of the company. Proceedings under Section 11B of the Securities and Exchange Board of India Act, 1992 (the Act) were initiated against the company and the appellant. The company was debarred in separate proceedings. By order dated April 18, 2011 the appellant was debarred from accessing the capital market for a period of three years and he had also been restrained from holding an office of director in any listed company for

the same period. Adjudication proceedings were also initiated against the appellant on the same charges and the adjudicating officer by the impugned order has imposed a monetary penalty of ₹ 40 lacs on the appellant. Since the charge is the same and it has already been upheld by us in Appeal no. 104 of 2011 in which the order under Section 11B of the Act was confirmed, we find no ground to interfere with the impugned order in this case as well. The appeal is accordingly dismissed with no order as to costs.

Sd/-
Justice N.K.Sodhi
Presiding Officer

Sd/-
P.K.Malhotra
Member

Sd/-
S.S.N. Moorthy
Member

13.10.2011
Prepared & Compared By:Pmb