

SUPREME COURT OF INDIA

Noted Infotech P. Ltd.

Vs.

Securities & Exchange Board of India

C.A.No.4649 of 2006

(Tarun Chatterjee and Aftab Alam JJ.)

04.08.2008

ORDER

C.A.NO.4649 OF 2006 -

1. Having heard the learned counsel for the parties and after going through the averments made in the application for condonation of delay in filing the appeal before the Securities Appellate Tribunal and also after considering the impugned judgment rejecting the application for condonation of delay and the nature of the order passed in respect of which the appeal has been proposed to be filed before the Securities Appellate Tribunal, we are of the view that the delay of 720 days in filing the appeal before the Securities Appellate Tribunal can be condoned and sufficient cause for condoning the delay in filing the appeal can be held if the appellant is directed to pay or deposit a sum of Rs.1,00,000/- as cost to the respondent. Accordingly, we dispose of this appeal in the following manner:

2. The delay of 720 days in filing the appeal is condoned, subject to payment of deposit of Rs.1,00,000/- as cost to the respondent within six weeks from the date of supply of a copy of this order to the Securities Appellate Tribunal. In default, this appeal shall stand dismissed and the impugned order shall stand affirmed and the application for condonation of delay shall stand rejected.

C.A.NO.141 OF 2007 -

1. Having heard the learned counsel for the parties and after going through the averments made in the application for condonation of delay in filing the appeal before the Securities Appellate Tribunal and also after considering the impugned judgment rejecting the application for condonation of delay and the nature of the order passed in respect of which the appeal has been proposed to be filed before the Securities Appellate Tribunal, we are of the view that the delay of 650 days in filing the appeal before the Securities Appellate Tribunal can be condoned and sufficient cause for condoning the delay in filing the appeal can be held if the appellant is directed to pay or deposit a sum of Rs.1,00,000/- as cost to the respondent. Accordingly, we dispose of this appeal in the following manner:

2. The delay of 650 days in filing the appeal is condoned, subject to payment of deposit of Rs.1,00,000/- as cost to the respondent within six weeks from the date of supply of a copy of this order to the Securities Appellate Tribunal. In default, this appeal shall stand dismissed and the impugned order shall stand affirmed and the application for condonation of delay shall stand rejected.

C.A.NO.4975 OF 2006 -

1. Having heard the learned counsel for the parties and after going through the averments made in the application for condonation of delay in filing the appeal before the Securities Appellate Tribunal and also after considering the impugned judgment rejecting the application for condonation of delay and the nature of the order passed in respect of which the appeal has been proposed to be filed before the Securities Appellate Tribunal, we are of the view that the delay of 870 days in filing the appeal before the Securities Appellate Tribunal can be condoned and sufficient cause for condoning the delay in filing the appeal can be held if the appellant is directed to pay or deposit a sum of Rs.1,25,000/- as cost to the respondent. Accordingly, we dispose of this appeal in the following manner :

2. The delay of 870 days in filing the appeal is condoned, subject to payment of deposit of Rs.1,25,000/- as cost to the respondent within six weeks from the date of supply of a copy of this order to the Securities Appellate Tribunal. In default, this appeal shall stand dismissed and the impugned order shall stand affirmed and the application for condonation of delay shall stand rejected.

C.A.NO.4687 OF 2006 -

1. Having heard the learned counsel for the parties and after going through the averments made in the application for condonation of delay in filing the appeal before the Securities Appellate Tribunal and also after considering the impugned judgment rejecting the application for condonation of delay and the nature of the order passed in respect of which the appeal has been proposed to be filed before the Securities Appellate Tribunal, we are of the view that the delay of 700 days in filing the appeal before the Securities Appellate Tribunal can be condoned and sufficient cause for condoning the delay in filing the appeal can be held if the appellant is directed to pay or deposit a sum of Rs.1,00,000/- as cost to the respondent. Accordingly, we dispose of this appeal in the following manner:

2. The delay of 700 days in filing the appeal is condoned, subject to payment of deposit of Rs.1,00,000/- as cost to the respondent within six weeks from the date of supply of a copy of this order to the Securities Appellate Tribunal. In default, this appeal shall stand dismissed and the impugned order shall stand affirmed and the application for condonation of delay shall stand rejected.

C.A.NO.2289 OF 2007 -

1. Having heard the learned counsel for the parties and after going through the averments made in the application for condonation of delay in filing the appeal before the Securities Appellate Tribunal and also after considering the impugned judgment rejecting the application for condonation of delay and the nature of the order passed in respect of which the appeal has been proposed to be filed before the Securities Appellate Tribunal, we are of the view that the delay of 998 days in filing the appeal before the Securities Appellate Tribunal can be condoned and sufficient cause for condoning the delay in filing the appeal can be held if the appellant is directed to pay or deposit a sum of Rs.1,25,000/- as cost to the respondent. Accordingly, we dispose of this appeal in the following manner:

2. The delay of 998 days in filing the appeal is condoned, subject to payment of deposit of Rs.1, 25,000/- as cost to the respondent within six weeks from the date of supply of a copy of this order to the Securities Appellate Tribunal. In default, this appeal shall stand dismissed and the impugned order shall stand affirmed and the application for condonation of delay shall stand rejected.