

BEFORE THE SECURITIES APPELLATE TRIBUNAL  
MUMBAI

**Date of Decision : 23.8.2017**

**Appeal No.199 of 2017**

Lotus Eye Hospital and Institute Limited  
S.F. No.770/12, Avinashi Road, Civil  
Aerodrome Post, Coimbatore - 641 014,  
Tamil Nadu

.... Appellant

Versus

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

2. National Stock Exchange of India Ltd.  
Exchange Plaza, Bandra Kurla Complex,  
Bandra (East), Mumbai – 400 051.

3. BSE Ltd.  
Central Depository Services,  
Phiroze Jeejeebhoy Towers,  
Dalal Street, Mumbai – 400 023.

..... Respondents

Mr. T.V. Suresh Kumar, Advocate with Mr. N. A. Srinivasan, Advocate i/b.  
Genicon and Associates for the Appellant.

Mr. Tomu Francis, Advocate with Mr. Vivek Shah, Advocate for Respondent  
no.1.

None for Respondent no.2.

Mr. Ajay Khaire, Advocate with Mr. Nair Renjith Ramesh, Advocate i/b. The  
Law Point for Respondent no.3.

CORAM : Justice J.P. Devadhar, Presiding Officer  
Dr. C.K.G. Nair, Member

Per : Justice J.P. Devadhar (Oral)

1. This appeal is filed inter alia to challenge the communication of Securities and Exchange Board of India (for short 'SEBI') dated 7<sup>th</sup> August, 2017 as also the Order dated 7/8/2017 issued by Bombay Stock Exchange Ltd. in compliance with the directions contained in the SEBI Communication dated 7<sup>th</sup> August, 2017.

2. As the appellant has already made a representation to SEBI against the said ex-parte order dated 7<sup>th</sup> August, 2017, Counsel for the appellant on instruction seeks to withdraw the appeal with liberty to pursue the representation filed before SEBI. Accordingly, we permit the appellant to withdraw the appeal with liberty to pursue the representation pending before SEBI.

3. SEBI is directed to dispose of the representation made by the appellant as expeditiously as possible and in any event within a period of three weeks from today. It is made clear that passing of any order on the representation made by the appellant would not preclude SEBI from further investing the matter and initiate appropriate proceedings if deemed fit.

4. Appeal is disposed of in the aforesaid terms with no order as to costs.

Sd/-  
Justice J. P. Devadhar  
Presiding Officer

Sd/-  
Dr. C. K. G. Nair  
Member

23.8.2017  
prepared and compared by  
RHN