

Consent order against Mr. Manmohan Shetty of Adlabs Films Ltd

Dec 13, 2007 | Orders : Settlement Order

<div><div>BEFORE THE ADJUDICATING OFFICER</div><div>SECURITIES AND EXCHANGE BOARD OF INDIA</div><div>CO/CFD/1106/AO/DSR/07/2007</div><div>Under section 15-I of Securities and Exchange Board of India Act, 1992 read with Rule 5 of SEBI (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995</div><div><div>In respect of</div><div>Manmohan Shetty of</div><div>ADLABS FILMS</div></div><div><div>1. SEBI, vide order dated March 29, 2007, initiated adjudication proceedings against Mr. Manmohan Shetty (hereinafter referred to as noticee) of Adlabs Films Ltd. for the alleged compliance with the provisions of Regulations 3 (3) of SEBI (Substantial Acquisition of Shares and Takeovers), Regulations, 1997 (hereinafter referred to as SAST). A show cause notice dated May 22, 2007 was issued to the noticee.</div><div>2. Pending the adjudication proceedings, the noticee made an application dated August 24, 2007 and an affidavit in the formats prescribed by SEBI for settlement in the matter in SEBI Circular No. EFD/Cir.-1/2007 dated 20<sup>th</sup> April, 2007. Pursuant to the said application, noticee vide letter dated September 21, 2007 had proposed revised consent terms submitting that he was willing to pay a sum of Rs. 50,000 ( Rupees Fifty thousand only) towards consent terms in the matter. The revised consent terms were placed before the Powered Advisory Committee (HPAC) and HPAC after deliberation recommended the case for settlement on the revised consent terms proposed by the noticee.</div><div>3. In terms of the noticee’s proposal for the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the noticee to the finding of fact or conclusion of law, noticee has remitted a sum of Rs. 50,000/- (Rupees Fifty thousand only), vide Demand Draft No. 058290 dated December 5, 2007 drawn on HDFC Bank, Mumbai, in accordance with the terms of consent in the matter.</div><div>4. In view of the above, it is hereby ordered that:<div><div>i) this consent order disposes of the said adjudication proceedings pending against the noticee under SEBI Act, 1992 and</div><div>ii) passing of this order is without prejudice to the right of SEBI to take enforcement actions including commencing / reopening of the pending proceedings against the noticee if it finds that:<div><div>a. any representations made by the noticee in the consent proceedings are subsequently discovered to be untrue.</div><div>b. the noticee has breached any of the clauses / conditions of undertakings / waivers filed during the current consent proceedings.</div></div></div></div><div>This consent order is passed on the 13<sup>th</sup> of December, 2007 and shall come into force with immediate effect. In terms of Rule 6 of the Adjudication Rules, copies of this order are sent to the Noticee and also to the Securities and Exchange Board of India.</div><div><div>D.S. REDDY</div><div>Adjudicating Officer</div></div><div>Place : Mumbai</div></div></div></div>
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