



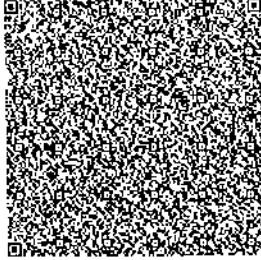
सत्यमेव जयते

# INDIA NON JUDICIAL

## Government of National Capital Territory of Delhi

### e-Stamp

Certificate No.	: IN-DL150012426309840
Certificate Issued Date	: 12-Feb-2016 03:46 PM
Account Reference	: IMPACC (IV)/ dl939303/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL939303285627486564240
Purchased by	: S S AGGARWAL
Description of Document	: Article Others
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: S S AGGARWAL
Second Party	: Not Applicable
Stamp Duty Paid By	: S S AGGARWAL
Stamp Duty Amount(Rs.)	: 20 (Twenty only)



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Before Mr. S S Agarwal, Sole Arbitrator  
In the matter of Arbitration under the Bye Laws, Rules and Regulations of the  
National Stock Exchange of India Ltd  
AM NO -CM/D-0029/2015  
Between

Ms. Pinki Roy  
C- 2/ 2314, Vasant Kunj,  
New Delhi- 110070  
Pan no- A/WPR5016M

..... Applicant

AND

Trustline Securities Ltd  
Trading Member  
B-3, Sector -3  
Noida-201301 (U.P.)

..... Respondent

Award

#### Statutory Alert:

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## AWARD

in

**Arbitration Matter No. CM/D-0029/2015**

IN THE MATTER OF DISPUTES BETWEEN:

Ms. Pinki Roy

C-2/2314, Vasant Kunj,

Delhi – 110070

..... Applicant

AND

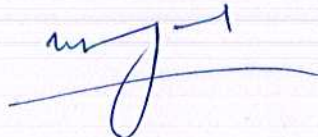
M/S. Trustline Securities Limited

C – 633, New Friends Colony

New Delhi = 110025

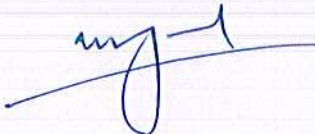
..... Respondent

1. The Applicant has alleged about unauthorized trades in her account. She has mentioned that on her various communications about unauthorized trading, the response from the Respondent used to be that he had provided all contract notes to her. She has a claim towards loss suffered of Rs.4.55 Lacs and the interest @10% per month since October' 2010. She also has a claim for compensation for the mental and physical harassment to her by the Respondent.
2. In his reply, the Respondent has mainly brought out that all the contract notes pertaining to trades executed by the Applicant were duly received by the Applicant on her e-mail ID provided by her at the time of opening



of account. A copy of log report for sending e-contract notes and SMS log has been attached by him with his reply. The Respondent has mentioned that the Applicant had given funds at several times with reference to trades executed by her and she had also taken final payout. He has given details of various cheques received by him and payout dated 17.03.2012. The Respondent has mentioned that the Applicant had requested through e-mail dated 21.03.2011 to carry out no more trades in her account and accordingly her client code was suspended so that no trade could be executed without her written consent. He has also mentioned that the limitation period for filing an arbitration application is three years from the date of last transaction, which was made in her account on 18.03.2011, as such her application is barred by limitation. The Respondent has requested to dismiss the claim made by the Applicant.

3. First hearing in the matter was held on 18.12.2015. No one was present on behalf of the Applicant. Ms. Surbhi Sangal was present on behalf of the Respondent. The intimation for the hearing on 18.12.2015 was sent to the Applicant on 04.12.2015 which was received by her on 05.12.2015, as informed by the Rep of NSE, but still there was no appearance of any person from her side. The Applicant absented herself or through any of her representative without making any communication about her inability to attend the hearing. Under the above circumstances, the hearing was adjourned and next hearing was decided to be held on 30.12.2015. It was made clear that in case the Applicant did not attend the hearing on 30.12.2015 also, the matter shall be heard ex-parte. During the next hearing held on 30.12.2015 also no one was present on behalf of the





Applicant even after receipt of intimation by her for the hearing to be held on 30.12.2015 along with order sheet dated 18.12.2015. The representative of NSE has confirmed that the intimation for hearing to be held on 30.12.2015 had been duly received by the Applicant.

4. The Applicant has not appeared even after having been provided the opportunity twice. Even otherwise, as intimated by the NSE, the Arbitration application was filed by the Applicant on 07.09.2015, which is considered as time barred considering the fact that the last trade was made in March'2011, as per the information provided by the representative of NSE. In view of above, the application of the Applicant deserves to be dismissed. No order as to cost.

Place: New Delhi

Dated: 15.02.2016

  
S.S. Agarwal  
Sole Arbitrator