

**IN THE SECURITIES APPELLATE TRIBUNAL
AT MUMBAI**

Dated this the 26th day of October, 2026

CORAM : Justice P.S. Dinesh Kumar, Presiding Officer
Ms. Meera Swarup, Technical Member
Dr. Dheeraj Bhatnagar, Technical Member

Appeal No. 363 of 2026
[Along with Misc. Application Nos. 1073 & 1079 of 2026]

BETWEEN:

Ventura Securities Limited
"I-Think Techno Campus", 8th Floor,
B-Wing, Pokhran Road No. 2,
Off Eastern Express Highway,
Thane (West), Maharashtra – 400 607. Appellant

(By Mr. Rushin Kapadia with Mr. Sumit Agrawal, Mr. Kavish
Garach and Ms. Saumya Singh Thakur,
Advocates i/b Regstreet Law Advisors for the Appellant)

AND:

Multi Commodity Exchange Board of India Limited
Exchange Square, CTS No. 255,
Suren Road, Chakala,
Andheri (East),
Mumbai – 400 093. ...Respondent

(By Mr. Anubhav Ghosh with Mr. Vivek Shah and Ms. Paras
Taneja, Advocates i/b Trilegal for the Respondent)

THIS APPEAL IS FILED UNDER SECTION 23L OF THE
SECURITIES CONTRACTS (REGULATION) ACT, 1956 TO
QUASH AND SET ASIDE THE IMPUGNED ORDER DATED
28.09.2026 PASSED BY THE MEMBER COMMITTEE OF THE
MULTI COMMODITY EXCHANGE OF INDIA LIMITED (MCX).

THIS APPEAL COMING ON FOR HEARING THIS DAY, THE
TRIBUNAL MADE THE FOLLOWING:

ORDER

Per: Justice P.S. Dinesh Kumar, Presiding Officer (Oral)

This appeal is directed against order dated 28.09.2026 passed by the Member Committee of the Multi Commodity Exchange of India Limited (MCX) imposing a penalty of Rs. 1,49,63,325/- for violating client level open position.

2. We have heard Mr. Rushin Kapadia, learned Advocate for the appellant and Mr. Anubhav Ghosh, learned Advocate for MCX.

3. On last date of hearing, it was submitted by Mr. Kapadia that one of the signatories in the impugned order i.e. Mr. S.V. Krishnamohan was an Independent External Expert in the Committee. He ceased to be the member of the Committee w.e.f. 20.03.2026. The impugned order is dated 28.09.2026. Therefore, Mr. S.V. Krishnamohan could not have signed the impugned order. By noting the said submission, we called for the say of the respondent.

4. Mr. Anubhav Ghosh, learned Advocate for the respondent submitted that the impugned order containing the signature of Mr. S.V. Krishnamohan was a *bona fide* error. He submitted that his submission may be taken on record and the matter may be remitted for reconsideration.

5. Mr. Kapadia, learned Advocate for the appellant submitted that the charge against the appellant is, appellant's client had exceeded open position limit in natural gas options beyond 2% and as such reached 27%.

He submitted that no alert was given by the respondent in that behalf. He further submitted that even if the violation was proved, as per SEBI Circular dated 09.09.2026, the maximum penalty that could have been imposed is only Rs. 2 lakhs. Learned Advocate for the respondent does not refute the said submissions of Mr. Kapadia.

6. It is conceded by the respondent that as on the date of the impugned order, Mr. S.V. Krishnamohan had ceased to be Independent External Expert in the Committee. Therefore, the impugned order is unsustainable in law. Further, it is also not disputed that as per the SEBI circular, the maximum penalty that could have been imposed is only Rs. 2 lakh. It is not disputed by the respondent that a sum of Rs. 1,76,56,723.50 (penalty of Rs. 1,49,63,325/- plus applicable GST) has been debited from appellant's account on 14.10.2026. Such act on the part of the respondent exchange, which is a first line regulator cannot be countenanced. In these facts, we find no substance in respondent's submission and prayer to remand the matter for reconsideration. In our view, it is just and appropriate to allow this appeal with costs.

7. Accordingly, the impugned order is set aside and respondent is directed to pay a cost of Rs. 1 lakh to the appellant. We further direct that the amount debited from appellant's account shall be refunded/reversed forthwith.

8. At this stage learned Advocate for the respondent pleaded that cost may not be imposed. In our view, in a case of this nature awarding costs is just and appropriate.

9. The appeal is allowed in above terms.
10. Pending interlocutory application(s), if any, stand disposed of.
11. No costs.

Justice P.S. Dinesh Kumar
Presiding Officer

Ms. Meera Swarup
Technical Member

Dr. Dheeraj Bhatnagar
Technical Member

26.10.2026
msb

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