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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 12380/2018 & CM. No. 48047/2018
STERLING SEZ AND INFRASTRUCTURE LTD..... Petitioner
versus

UNION OF INDIA AND ORS. Respondents
+ W.P.(C) 12381/2018 & CM. No. 48049/2018
STERLING INTERNATIONAL ENTERPRISES
LTD. Petitioner
versus

UNION OF INDIA AND ORS. Respondents
+ W.P.(C) 12584/2018 & CM. No. 48932/2018
AMERICAN BIOTECH LTD. Petitioner
versus

UNION OF INDIA AND ORS. Respondents
+ W.P.(C) 12585/2018 & CM. No. 48936/2018
PLANTIUM INFRASTRUCTURS PVT. LTD. Petitioner
versus

UNION OF INDIA AND ORS. Respondents
+ W.P.(C) 12586/2018 & CM. No. 48938/2018
OSMUND PROPERTIES PVT. LTD. Petitioner
versus

UNION OF INDIA AND ORS. Respondents
+ W.P.(C) 12587/2018 & CM. No. 48940/2018
PIOUS MERCANTILE PVT. LTD. Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

+ W.P.(C) 12589/2018 & CM. No. 48944/2018
NAVSEEMA PROPERTIES AND SECURITIES
PVT. LTD.

..... Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

+ W.P.(C) 12591/2018 & CM. No. 48948/2018
CHARISMATIC TRADING LLP

..... Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

+ W.P.(C) 12592/2018 & CM. No. 48950/2018
RAJBHUSHAN DIXIT

..... Petitioner

versus

UNION OF INDIA & ORS

..... Respondents

+ W.P.(C) 12594/2018 & CM. No. 48954/2018
LSV INVESTMENT AND PROPERTIES
PVT LTD

..... Petitioner

versus

UNION OF INDIA & ORS

..... Respondents

AND

+ W.P.(C) 12595/2018 & CM. No. 48956/2018
STERLING OIL RESOURCES LTD.

..... Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

Present: Mr. Hemant Shah, Adv. with
Mr. Harshit Sethi, Mr. Sankar Sharma
& Mr. Naveen Jaisingh, Advs. for
petitioners
Ms. Maninder Acharya, ASG with
Mr. Amit Mahajan, CGSC, Ms.
Malika Hiramath, Mr. Sahil Sood,
Mr. Harshul Choudhary & Mr. Viplav
Acharya, Advs. for UOI

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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07.02.2019

In these cases, we are informed that the final orders have been passed by the Adjudicating Authority and Statutory Appeal under Section 26 of Prevention of Money-Laundering Act, 2002 has been filed by each of the petitioners.

That being so, as the appeals are pending before the Appellate Tribunal, it is not appropriate for us to interfere into the matters in the parallel proceedings in the petitions filed under Article 226 of the Constitution of India. However, learned counsel for the petitioners invited our attention to certain interim orders passed by us on 24th May, 2016 wherein liberty was granted to the petitioners to file the Statutory Appeals

against the orders of the Adjudicating Authority without prejudice to the rights and contentions in the present writ petitions.

We are of the considered view, the said interim order does not lay down the correct proposition of law in these cases, as we have already granted liberty to the petitioners to challenge the order passed by the adjudicating authority before the Appellate Tribunal and therefore permitted them to withdraw the application for stay.

Considering all these factors, we are of the considered view that two parallel proceedings, one before the Appellate Tribunal and another in these writ petitions cannot go on. The petitioners can prosecute the appeal filed by each of the petitioners and the grounds raised in these petitions can be raised and considered by the Appellate Tribunal.

With the aforesaid observation, the writ petitions and the connected applications are disposed of.

CHIEF JUSTICE

V. KAMESWAR RAO, J

FEBRUARY 07, 2019/ak