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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3734/2020

AJANTA MERCHANTS PRIVATE LIMITED Petitioner
Through Mr.Dayan Krishanan, Sr. Adv. with
Mr.Pitamber Kumar and Mr.Saurabh
Seth, Advs.

versus

INITIATING OFFICER ACIT BENAMI PROHIBITION UNIT 2
DELHI & ORS. Respondents

Through Mr.Raghvendra K.Singh, SC with
Mr.Manmeet Singh, SPP for R-1.
Mr.Kriti Uppal, Sr.Adv.with
Mr.Aditya Raj, Adv. for R-3.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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03.07.2020

CM No. /2020 (Exemption)

[TO BE NUMBERED]

This application has been filed seeking exemption from filing duly notarised affidavit. Binding the deponent of the affidavit to the contents of the application, the exemption is granted. Registry is directed to number the application.

Application is disposed of.

W.P.(C) 3734/2020 & CM No. 13371/2020 (Stay)

1. This petition has been filed by the petitioner praying for the following reliefs:

“(a) Issue an appropriate writ, order or direction setting aside the Impugned Order dated 19.06.2020 and Impugned Notice dated 15.06.2020 passed by the Adjudicating Authority/Respondent No.2 and direct the Adjudicating Authority/Respondent No.2 to adjourn the next date of hearing fixed on 02.07.2020 in Reference Case R-1490/2019 until the present pandemic situation improves and normalises and appropriate orders are passed by the Government authorities; and/or

(b) Alternatively, issue a Writ of Mandamus and/or any other orders/directions in the nature of mandamus thereby directing the Adjudicating Authority/Respondent No.2 to give an opportunity of being heard through video conferencing to the Petitioner to enable it to present its case on the next date of hearing in view of the present Covid-19 pandemic.”

2. As noted in the order dated 25.06.2020 of this Court, it is the apprehension of the petitioner that the respondent no.2 may proceed to reserve the orders on the Reference without affording an opportunity of hearing to the parties.

3. Though none appears for the respondent no.2, the learned counsel for the respondent no.1 has taken instructions from the respondent no.2 and he submits that the respondent no.2 does not propose to proceed with the Reference without affording an opportunity of hearing to the parties.

4. Keeping in view the above, the present petition is disposed of directing the respondent no.2 to afford an opportunity of hearing to the parties before reserving order on the Reference. Such hearing may be given through video conferencing facility. In this process, if any assistance is required from the parties, the learned senior counsels for the petitioner and

the respondent no.3 and the learned counsel for the respondent no.1 submit that all such assistance shall be provided to the respondent no.2.

5. The petition is disposed of in the above terms.

NAVIN CHAWLA, J

JULY 03, 2020/Arya