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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2179/2025

(72) AMD ESTATES PVT. LTD.

.....Petitioner

Through:

Mr. Avi Singh, Sr. Adv., Mr. Shambhu K. Thakur, Mr. Shikhar Garg and Mr. Rishabh Basra, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

Ms. Nidhi Raman, CGSC, Mr. Zubin Singh and Mr. Arnav Mittal, Advs. for R-1/UOI.

Mr. Zoheb Hossain, Spl. Counsel, Mr. Manish Jain, Spl Counsel, Mr. Vivek Gurnani, SC, Mr. Kartik Sabharwal, Mr. Pranjal Tripathi and Mr. Kanishk Maurya, Advs. for ED.

+ W.P.(C) 2181/2025

(73) AMAZING PROPBUILD PVT. LTD.

.....Petitioner

Through:

Mr. Avi Singh, Sr. Adv., Mr. Shambhu K. Thakur, Mr. Shikhar Garg and Mr. Rishabh Basra, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through:

Ms. Nidhi Raman, CGSC, Mr. Zubin Singh and Mr. Arnav Mittal, Advs. for R-1/UOI.

Mr. Zoheb Hossain, Spl. Counsel, Mr. Manish Jain, Spl Counsel, Mr. Vivek Gurnani, SC, Mr. Kartik Sabharwal, Mr. Pranjal Tripathi and Mr. Kanishk Maurya, Advs. for ED.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

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ORDER

19.02.2025

CM APPL.10288/2025 (Exemption) in W.P.(C) 2179/2025

CM APPL.10290/2025 (Exemption) in W.P.(C) 2181/2025



1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

W.P.(C) 2179/2025 and CM APPL.10287/2025 (Stay)

W.P.(C) 2181/2025 and CM APPL.10289/2025 (Stay)

3. The present petition has been filed assailing an order dated 06.02.2025 passed by the Adjudicating Authority, Prevention of Money Laundering (hereinafter '*the Adjudicating Authority*') under the Prevention of Money Laundering Act, 2002.

4. It is contended that the petitioners were unable to furnish their reply to original complaint no. 2432/2024 since the Relied Upon Documents (RUD) were not supplied to the petitioners. Consequently, it is submitted that the hearing scheduled before the Adjudicating Authority on 06.02.2025 was not an effective hearing.

5. Reliance is also placed on the order dated 31.01.2025 passed in W.P(C) 1241/2025 wherein, it has been, *inter alia*, directed as under:-

19. After some hearing, with the consent of respective counsel, the present petition is disposed of with the direction that the adjudicating authority shall provide an opportunity of hearing to the petitioner; the petitioner shall be at liberty to urge all grounds in support of its contentions, and make submissions as regards legality/ validity of the said impugned PAO and the impugned Show Cause Notice.

20. It is further agreed that all such documents to which the petitioner may be entitled under law, shall be duly provided to the petitioner within a period of ten days from today. It is directed accordingly.

21. The adjudicating authority shall afford adequate opportunity of hearing to the petitioner and shall pass an order within the period contemplated under Section 5 r/w Section 8 of the PMLA.



6. It is submitted that the petitioners' counsel, who also represents another respondent in the proceedings before the Adjudicating Authority was served with the complete RUD pursuant to the aforesaid order of this Court.
7. In the circumstances, the petitioners seek that they should be permitted to file a reply in the proceedings before the Adjudicating Authority and also be afforded an opportunity of hearing.
8. The order dated 06.02.2025 rightly notes that the Show Cause Notice pursuant to the original complaint was served on the petitioner in the immediate aftermath on 14.10.2024. It is also rightly noticed that there is no rationale/justification for the petitioners waiting till the eleventh hour before taking appropriate steps/ availing remedies on the basis that the RUD were not given to the petitioners in a timely manner. However, considering that the petitioner in W.P(C) 1241/2025 has been permitted to submit its reply before the Adjudicating Authority within a period of three days from today and a hearing has also been directed to be scheduled in terms of an order passed today itself, in the interest of justice, it is directed that a similar opportunity be afforded to the petitioners herein as well.
9. It is made clear that the aforesaid directions have been passed in the peculiar facts and circumstances of the present case. The Adjudicating Authority shall be entitled to suitably limit/confine the hearing/s to ensure that the adjudication is completed within the statutorily prescribed period.
10. With the aforesaid directions, the present petition is disposed of.

SACHIN DATTA, J

FEBRUARY 19, 2025/uk