

\$~62 to 65 & 2 to 4

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

62

+ W.P.(C) 5158/2017 & CM APPLs. 22042/2017, 3165/2018,
30007/2018

SATYENDAR K JAIN

..... Petitioner

Through: Mr. Amit Anand Tiwari and Ms.
Devyani Gupta, Advs.

versus

THE UNION OF INDIA & ORS

..... Respondents

Through: Mr. Zoheb Hossain, Sr. SC with Mr.
Vipul Agarwal and Mr. Parth
Semwal, Jr. SCs for Revenue.

63

+ W.P.(C) 10932/2018, CM APPL. 42587/2018

NILESH KUMAR

..... Petitioner

Through: Mr. Amit Anand Tiwari and Ms.
Devyani Gupta, Advs.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC for R-
1.
Mr. Zoheb Hossain, Sr. SC with Mr.
Vipul Agarwal and Mr. Parth
Semwal, Jr. SCs for Revenue.

64

+ W.P.(C) 13450/2019 & CM APPL. 54547/2019, 39664/2022

M/S DEBONAIR TIE-UP PVT. LTD. AND ANR. Petitioners

Through: Mr. Abhimanuyu Bhandari, Ms.
Roohe Hina Dua and Ms. Ananya
Sikri, Advs.

versus

INITIATING OFFICER (NCT OF DELHI) BENAMI
PROHIBITION UNIT-1, NEW DELHI AND ORS. Respondents

Through: Ms. Shiva Lakshmi, CGSC with Mr.
Ritwik Sneha and Ms. Srishti Rawat,
Advs. for R-2 & 4.
Mr. Sandeep Kumar, Adv. for Mr.
Kunal Sharma, Adv. for respondents.

65

+ W.P.(C) 3139/2019 & CM APPL. 14366/2019

RELIANCE COMMODITIES DMCC Petitioner

Through: Mr. Anirudh Bakhru, Mr. Ayush Puri,
Mr. Vasundhara Bakhru, Mr.
Tejaswini Chandrasekhar and Mr.
Prateek Kumar Jha, Advs.

versus

ACIT / INITIATING OFFICER AND ORS. Respondents

Through: Ms. Shiva Lakshmi, CGSC with Mr.
Ritwik Sneha and Ms. Srishti Rawat,
Advs. for R-2 & 4.

2

+ W.P.(C) 6919/2022

M/S PSS AGRO INVESTMENT PRIVATE LIMITED Petitioner

Through: Mr. Ashwini Taneja, Mr. Udit Atul
Kokanthankar, Ms. Shreya Shandilya
and Mr. Prabhat Kumar Rai, Advs.

versus

INITIATING OFFICER BENAMI PROHIBITION UNIT & ORS.

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC for R-
1 with Mr. Danish Faraz Khan, Advs.
Mr. Zoheb Hossain, Sr. SC with Mr.

Vipul Agarwal and Mr. Parth Semwal, Jr. SCs for Revenue.

3

+ W.P.(C) 10619/2022

VIVEK NAGPAL & ORS.

..... Petitioners

Through: Mr. Ashwini Taneja, Mr. Udit Atul Kokanthankar, Ms. Shreya Shandilya and Mr. Prabhat Kumar Rai, Advs.

versus

INITIATING OFFICER (NCT OF DELHI) BENAMI

PROHIBITION UNIT -1, NEW DELHI AND ORS. Respondents

Through: Mr. Zoheb Hossain, Sr. SC with Mr. Vipul Agarwal and Mr. Parth Semwal, Jr. SCs for Revenue.

4

+ W.P.(C) 10621/2022

KKH INVESTMART PVT LTD

..... Petitioner

Through: Mr. Ashwini Taneja, Mr. Udit Atul Kokanthankar, Ms. Shreya Shandilya and Mr. Prabhat Kumar Rai, Advs.

versus

INITIATING OFFICER (NCT OF DELHI) BENAMI

PROHIBITION UNIT-1 , NEW DELHI AND ORS Respondents

Through: Mr. Shoumendu Mukherji, Sr. panel counsel with Ms. Megha Sharma, Mr. Rajat Kashyap, Advs. for UOI. Mr. Zoheb Hossain, Sr. SC with Mr. Vipul Agarwal and Mr. Parth Semwal, Jr. SCs for Revenue.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

ORDER

20.09.2022

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W.P.(C) 5158/2017 & CM APPLs. 22042/2017, 3165/2018, 30007/2018;
W.P.(C) 10932/2018, CM APPL. 42587/2018;
W.P.(C) 13450/2019 & CM APPLs. 54547/2019, 39664/2022;
W.P.(C) 3139/2019 & CM APPL. 14366/2019;
W.P.(C) 6919/2022 & CM APPL. 39549/2022;
W.P.(C) 10619/2022 & CM APPL. 39559/2022;
W.P.(C) 10621/2022 & CM APPL. 39560/2022

Mr. Hossain, learned Senior Standing Counsel appearing for respondent, prays for accommodation on account of the learned Solicitor General being on his feet before another Court. He has also prayed for time to go through the individual facts of each writ petition before addressing submissions in light of the judgment rendered by the Supreme Court in **Union of India & Anr. vs. M/s Ganpati Dealcom Pvt. Ltd** [2022 SCC OnLine SC 1064].

The Court also takes note of the statement made by Mr. Hossain and which stands duly recorded in W.P.(C) 11329/2022. In view of the aforesaid and since an adjournment is being sought on behalf of the respondent, the Court provides that no action, coercive or otherwise, shall be taken against the petitioners here under the Benami Transactions (Prohibition) Amendment Act, 2016.

Interim orders otherwise passed and operating in these petitions shall continue till the next date fixed. Let this batch be called again on 10.10.2022.

The date of 26.09.2022 fixed in W.P.(C) 6919/2022, W.P.(C) 10619/2022 and W.P.(C) 10621/2022 shall stand cancelled.

YASHWANT VARMA, J.

SEPTEMBER 20, 2022/bh