24.02.23

Present : Sh. A. K. Gautam, Ld. SPP for ED along with Advocate Sh. Nitin Juyal.

Sh Srikant Sharma, Ld. Counsel for accused company i.e. M/s. Alchemist Township India Ltd. (A-1).

Sh. Hemant Shah and Sh. Saurabh Pal, Ld. Counsels for accused company i.e. M/s. Alchemist Holdings Ltd. (A-2), M/s.Technology Parks Ltd. (A-3), M/s. Alchemist Realty Ltd. (A-5) and M/s. KDS Corporation Pvt. Ltd. (A-6).

Sh. Harshit Sethi, Ld. Counsel for accused Kanwar Deep Singh (A-7).

Sh. Tushar Anand, Ld. Counsel for accused Bikram Bhattacharya (A-8).

Accused Kanwar Deep Singh (A-7) in person.

Application for exemption from personal appearance on behalf of accused Bikram Bhattacharya (A-8) has been filed. The exemption application is allowed for today only for the grounds stated therein.

It is submitted that the matter is now listed before the Hon'ble High Court on 12.05.23. It is seen that vide order dated 25.05.2022, the Hon'ble High Court had directed that the compliance of the impugned order dated 22.03.2022 passed by this Court shall not be insisted upon till the next date of hearing. The matter was listed before the Hon'ble High Court on 14.10.2022 when it was simply listed for 21.02.23. It is submitted that when the matter was listed before the Hon'ble High Court

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on 21.02.23 it was re-notified for 12.05.23, though the said order has not been uploaded. In terms of the judgment of the Hon'ble Supreme Court in **Asian Resurfacing of Road Agency Pvt. Ltd. & Anr.** v. **Central Bureau of Investigation,** the stay on an order of the Trial Court would be deemed to be vacated on expiry of six months from the date of stay unless the order of stay is extended by a speaking order. The order dated 14.10.2022 does not extend the stay only as it is now submitted that the order dated 21.02.23 has not been uploaded and the same is not there before this court, put up on **16.05.23** for further proceedings.

(Geetanjli Goel)
ASJ/Special Judge (PC Act) CBI-24
(MPs/MLAs Cases), RADC
New Delhi/24.02.23