

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2025
[arising out of SLP(C) No. 10734/2025]

UDAIPUR ENTERTAINMENT WORLD PRIVATE LIMITED APPELLANT(S)

VERSUS

UNION OF INDIA & ORS. RESPONDENT(S)

with

CIVIL APPEAL NOS. _____ OF 2025
[arising out of SLP(C) Nos. 26154-26155/2025]

O R D E R

Leave granted.

2. Pursuant to our orders dated 11.09.2025 and 18.09.2025, the parties came to an amicable settlement in the interest of innocent and genuine home buyers.

3. In view of the Affidavit dated 07.10.2025 filed by the Directorate of Enforcement¹, Provisional Attachment Order No. 05/2019 dated 02.04.2019 passed against the Corporate Debtor is partially set aside and the attached properties are directed to be restored to the Successful Resolution Applicant (SRA) who stepped into the shoes of the Corporate Debtor solely for the benefit of genuine and innocent home-buyers who subsequently acquired the attached units.

Signature Not Verified
Digitally signed by
Deepak Gupta
Date: 2025.10.15
17:16:54 IST
Reason: 

1 “DoE”, for short

4. This order is being passed without going into the merits and the rival contentions of the parties.

5. The present restitution order is deemed to have been passed in terms of the second *proviso* to sub-Section (8) of Section 8 of the Prevention of Money Laundering Act, 2002².

6. The provisional attachment shall continue in respect of the 11 units in the project, Royal Raj Villas (RRV), identified and referred to in the Additional Affidavit dated 07.10.2025 of the DoE, and the rights of the concerned home buyers under respective "Agreements to Sell" pursuant to payment of total ₹7,82,91,589/- (Rupees seven crores eighty two lakhs ninety one thousand five hundred eighty nine only) alleged to be connected with proceeds of crime [paid out of the total consideration value of ₹8,65,00,000/- (Rupees eight crores sixty five lakhs only)], shall also remain attached, subject to the provisions of the PMLA.

7. In view of Section 32A of the Insolvency and Bankruptcy Code, 2016³, the name of the Corporate Debtor shall be deleted from the array of accused in the third Supplementary Prosecution Complaint dated 27.02.2025 in ECIR No. JPZO/01/2016.

8. The proposal for confiscation of the properties of the Corporate Debtor attached *vide* PA0 05/2019 dated 02.04.2019 shall be substituted with a prayer for confiscation of only those 11 units stated in the additional affidavit dated 7.10.2025 by the DoE, while continuing with prosecution of the erstwhile directors

2 "PMLA", for short

3 "IBC", for short

and/or persons in control or conspirators or abettors and confiscation of their attached properties/entitlement, if any.

9. In the ongoing investigation by the DoE in the matter of the Syndicate Bank fraud under the provisions of the PMLA, if any amount(s) paid for any flats/units booked by the remaining home buyers is/are found to be connected with proceeds of crime, then the DoE would be entitled to take appropriate steps against the concerned home buyer(s) and his/her/their property/entitlement in accordance with law.

10. Needless to state, the benefit of Section 32A of IBC is subject to the condition that the SRA is neither connected with the erstwhile Directors of the Corporate Debtor nor is the SRA a beneficiary of proceeds of crime derived from the alleged scheduled offence. If this foundation is eroded in the ongoing investigation, the DoE shall be at liberty to take appropriate steps in accordance with law, including questioning the resolution plan.

11. In view of the above, the challenge of DoE to the approval of the Resolution Plan by the National Company Law Tribunal⁴, Mumbai, shall stand closed, and accordingly the DoE shall have no right or lien either on the properties of the Corporate Debtor attached under PAO 05/2019 dated 02.04.2019 (except the 11 flats mentioned in the Affidavit of the DoE dated 07.10.2025), or on further units proposed to be constructed in the project, RRV, as per the resolution plan approved by NCLT (subject to paragraph Nos. 9 and 10 above). Suitable intimation shall be given forthwith by DoE in

4 "NCLT", for short

this regard to the concerned authority, so as to facilitate registration of sale deeds. The Resolution Plan may now be implemented in accordance with law.

12. The appellant(s) shall withdraw the pending appeal before the PMLA Tribunal, bearing No. FPA-PMLA-3275/JP/2019, along with applications therein. Application under Section 8(8) filed in the Special Court, PMLA, CBI Court No. 3, Jaipur, in Criminal Case No. 33 of 2023, is rendered infructuous in the light of this order.

13. This order is being passed on the peculiar facts of the case and with the consent of the parties under the second *proviso* to sub-Section (8) of Section 8 of the PMLA and shall not be treated as a precedent and the questions of law shall remain open to be decided in an appropriate case.

14. The appeals are disposed of in the aforestated terms.

15. Accordingly, the pending writ petition, that is, S.B. Civil Writ Petition No. 4949 of 2023 before the High Court of Judicature for Rajasthan, Bench at Jaipur, shall also stand disposed of.

16. Lastly, we place on record our appreciation for the efforts made by the learned counsel for the parties and the DoE in restoring the attached properties to secure the interests of genuine and innocent home buyers.

.....J.
(SANJAY KUMAR)

.....J.
(ALOK ARADHE)

NEW DELHI;
OCTOBER 10, 2025.

Ms. Aishwarya Bhati, A.S.G.
Ms. Radhika Misra Bose, Adv.
Ms. Gargie Bose, Adv.
Mr. Zoheb Hussain, Adv.
Mr. Arkaj Kumar, Adv.
Mr. Samrat Goswami, Adv.
Mr. Anmol Chandan, Adv.
Mr. Hitarth Raja, Adv.
Mr. Aman Mehta, Adv.
Mr. Arvind Kumar Sharma, AOR

Mr. Sudarshan Lamba, AOR

Mr. Devanshu Yadav, Adv.
Mr. Kartik Yadav, Adv.
Mr. Sahil Sharma, AOR

Mr. Gaurav Agarwal, Sr. Adv.
Mr. Ashish Batra, AOR

Mr. Shantanu Sagar, Adv.
Mr. Gunjesh Ranjan, Adv.
Mr. Anil Kumar, Adv.
Mr. Prabhat Ranjan Raj, Adv.
Mr. Kanishk Khetan, Adv.
Mr. Shashwat Anand, AOR

UPON hearing the counsel, the Court made the following
O R D E R

Leave granted.

The appeals are disposed of, in terms of the signed order.

Accordingly, the pending writ petition, that is, S.B. Civil Writ Petition No. 4949 of 2023 before the High Court of Judicature for Rajasthan, Bench at Jaipur, shall also stand disposed of.

Pending application(s), if any, shall also stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(PREETI SAXENA)
COURT MASTER (NSH)

(signed order is placed on the file)