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

+ **W.P.(C) 14029/2023 & CM APPL. 42983/2025**

NASREEN MOIN QURESHI

.....Petitioner

Through: Mr. Yoginder Handoo and Mr. Garvit Solanki, Advs.

versus

DEPUTY DIRECTOR, DIRECTOR OF ENFORCEMENT & ORS.

.....Respondents

Through: Mr Dhruv Rohatgi, Panel counsel GNCTD Ms. Chandrika Sachdeva and Mr Dhruv Kumar, Advs.

Mr Zoheb Hossain, Spl Counsel for DoE Mr Vivek Gurnani Panel Counsel for DoE Mr Pranjali Tripathi adv Mr Kanishk Maurya Adv.

Mr. Anuj Aggarwal, Mr. Kanishk Rana, jMs. Nisha Bhardwaj, Advocates for applicant.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **23.03.2026**

1. Mr. Yoginder Handoo, learned counsel appearing for the petitioner at the outset, does not press prayer B. He, however, confines the petition to the extent of prayer A, the same is extracted as under:

“a. Quash/set aside the impugned communication dated 09.05.2019 issued by Respondent No.1”

2. He reads communication dated 09.05.2019, issued by the Directorate



of Enforcement [‘ED’] to the concerned SDM, Najafgarh and argues that unless the property in question is attached or confiscated, respondent-ED does not have any power to place such an embargo.

3. Mr Zoheb Hossain, learned counsel for ED takes this Court to paragraph no.64 and 73 of his counter affidavit and submits that the property in question is the subject matter of a complaint pending before Rouse Avenue District Courts. He submits that the ED, therefore, under *bona fide* belief and in order to have a clear factual position about the status of the property, directed the concerned SDM to intimate prior to transferring or creation of third party right over the property in question.

4. The Court has considered the submissions made by learned counsel appearing for the parties and finds that the directions contained in the communication dated 09.05.2019 deserve to be interpreted as requiring the concerned Sub-Divisional Magistrate to intimate the ED of the creation of any third-party right over the property in question. It would mean that there shall not be any requirement of prior approval/ consent from the office of ED.

5. What needs to be done by the concerned Sub-Divisional Magistrate is to provide intimation to the ED as and when the property is transferred to any other further buyer.

6. With that clarification, the petition stands disposed of.

7. It, however, shall not be treated to be an embargo on the ED from taking further steps in accordance with the provisions of the Prevention of Money Laundering Act, 2002.

PURUSHAINDR KUMAR KAURAV, J

MARCH 23, 2026/P