



\$~47 to 59

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

+ LPA 72/2015, CM APPL. 2627/2015 and CM APPL. 13983/2017

GAUTAM KHAITAN & ANRAppellants
Through:

versus

UNION OF INDIA & ANRRespondents
Through:

+ W.P.(C) 8984/2015
REKHA NAMBIARPetitioner
Through:

versus

DIRECTORATE OF ENFORCEMENT & ORSRespondents
Through:

+ W.P.(C) 11361/2015 and CM APPL. 29836/2015
NARESH BANSAL AND ORSPetitioners
Through:

versus

ADJUDICATING AUTHORITY AND ANRRespondents
Through:

+ W.P.(C) 12261/2015 and CM APPL. 32473/2015
MUKESH KUMAR & ANRPetitioners
Through:

versus

UNION OF INDIA & ORSRespondent
Through:



+ W.P.(C) 12274/2015 and CM APPL. 32501/2015
UMESH BHAI CHAUTALIYA & ORS

.....Petitioner

Through:

versus

ADJUDICATING AUTHORITY (UNDER THE
PREVENTION OF MONEY LAUNDERING ACT) & ANR

.....Respondents

Through:

+ W.P.(C) 68/2016, CM APPL. 389/2016 and CM APPL.
16156/2016
GHANSHYAMBHAI B. PATEL

.....Petitioner

Through:

versus

ADJUDICATING AUTHORITY & ANR

.....Respondents

Through:

+ W.P.(C) 78/2016 and CM APPL. 418/2016
HARSHAD MALA

.....Petitioner

Through:

versus

ADJUDICATING AUTHORITY & ANR

.....Respondents

Through:

+ W.P.(C) 1940/2016, CM APPL. 8333/2016 and CM APPL.
20231/2016
GURUCHARAN SINGH & ANR

.....Petitioners

Through:

versus

UNION OF INDIA & ORS

.....Respondents

Through:



- + W.P.(C) 2819/2016 and CM APPL. 11885/2016
SANJAY AGGARWALPetitioner
Through:

versus

UNION OF INDIA & ORSRespondents
Through:
- + W.P.(C) 2832/2016 and CM APPL. 11901/2016
CHANDAN BHATIAPetitioner
Through:

versus

UNION OF INDIA & ORSRespondents
Through:
- + W.P.(C) 2963/2016 and CM APPL. 12404/2016
KAMAL KALRA & ANRPetitioners
Through:

versus

UNION OF INDIA & ORSRespondents
Through:
- + W.P.(C) 4717/2016 and CM APPL. 19748/2016
ROOMA AGARWALPetitioner
Through:

versus

ADJUDICATING AUTHORITY & ANRRespondents
Through:
- + W.P.(C) 4747/2016 and CM APPL. 19811/2016
MANOJ KUMAR AGARWALPetitioner
Through:



versus

ADJUDICATING AUTHORITY AND ANRRespondents
Through:

PRESENT:

Mr. Ramesh Singh, Sr. Adv. with Mr. Shubham Jindal, Adv. in Item No.47.

Ms. Sunita Gupta, Adv. in Item No.49, 58 and 59.

Mr. Naveen Malhotra, Mr. Ritvik Malhotra and Mr. Nilansh Malhotra, Adv. in Item No. 55 & 56.

Mr Himanshu Pathak SPC with Mr Amit Singh Adv. in Item No.47.

Mr. Anupam S Sharrma, Special Counsel with Ms. Harpreet Kalsi, Mr. Vashisht Rao, Mr. Ripudaman Sharma, Mr. Vishesh Jain, Mr. Anant Prakash Mishra and Ms. Riya Sachdeva, Adv. in Item No.48-52, 55, 56 and 58.

Mr. Zoheb Hossain, Special Counsel with Mr. Vivek Gurnani, Mr. Kanishk Maurya, Mr. Ashraf Belal, and Mr. Harshat Singh, Adv. in Item No. 47.

Mr. Ripudaman Bhardwaj, CGSC with Mr. Kushagra Kumar and Mr. Amit Kumar Rana Adv. in Item No.57.

Mr. Vivek Gurnani and Mr. Kanishk Maurya, Adv. in Item No. 53, 58 and 59.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

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16.09.2025

1. Learned senior counsel representing the Appellant in LPA 72/2015 has submitted that as per unamended Section 5 of the Prevention of Money Laundering Act, 2002, filing of Report under Section 173 of the Code of Criminal Procedure, 1973¹ was necessary to pass a Provisional Order of Attachment [hereinafter referred to as "POA"]. Learned senior counsel has further submitted that there was



no material in possession of the Competent Authority to pass POA because the order does not reflect so.

2. Learned counsel representing the Respondent/Enforcement Directorate seeks and is granted time to prepare the case and make submissions in the matter.

3. Apart from LPA 72/2015, 12 Writ Petitions are also listed in this batch of matters.

4. Learned counsel representing the parties are requested to identify the issues which require adjudication by the Court, while justifying the listing of these matters before this Court, particularly when POA can be challenged before the learned Single Judge.

5. List for final disposal on 22.09.2025 at 10:00 A.M. in the Supplementary List.

6. A photocopy of the order passed today be kept in the connected matters.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

SEPTEMBER 16, 2025

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¹ Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023