

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**THURSDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 24966 OF 2025

Between:

1. Nowhera Shaik, D/o late shaik nanne sahib Age 52 years Occ. CEO of Heera Group of Companies R/o. 9-4-134/a/5/23/1/a, HS Residency Vali colony Tolichowki, Golconda, Hyderabad, Telangana, 500008.
2. Heera Retail (Hyderabad) Private Limited, Rep by its CEO Nowhera Shaik D/o late shaik nanne sahib Age 52 years Occ. CEO of Heera Group of Companies R/o. 9-4-134/a/5/23/1/a, HS Residency Vali colony Tolichowki, Golconda, Hyderabad, Telangana, 500008.
3. Heera Gold Exim Limited, Rep by its CEO Nowhera Shaik D/o late shaik nanne sahib Age 52 years Occ. CEO of Heera Group of Companies R/o. 9-4-134/a/5/23/1/a, HS Residency Vali colony Tolichowki, Golconda, Hyderabad, Telangana, 500008.
4. Heera Foodex Private Limited, Rep by its CEO Nowhera Shaik D/o late shaik nanne sahib Age 52 years Occ. CEO of Heera Group of Companies R/o. 9-4-134/a/5/23/1/a, HS Residency Vali colony Tolichowki, Golconda, Hyderabad, Telangana, 500008.

...PETITIONERS

AND

1. The Union of India, Rep. by its Secretary, Ministry of Finance, Department of Revenue, North Block Central Secretariat, New Delhi
2. The Enforcement Directorate, Rep. by its Director, Ministry of Finance, Department of Revenue, North Block Central Secretariat, New Delhi.
3. The Enforcement Directorate, Rep by Joint Director Hyderabad Zonal Office, 3rd floor Shakar bhavan, fateh maidan Road, Hyderabad-500004
4. The Enforcement Directorate, Rep by Deputy Director Shakkarbhan, Opp Central Crime Station Basheerbagh, Hyderabad-500004
5. The Enforcement Directorate, Rep by Assistant Director Ministry of Finance, Department of Revenue, North Block Central Secretariat, New Delhi.

6. MSTC Limited, Rep by its Director South Regional Office Taramandal Complex, Iqbal Minar Cir, Ambedkar Colony, Khairtabad, Hyderabad, Telangana 500004

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ, Order or Direction, more particularly one like Writ of Mandamus the respondents trying to auction the all properties of petitioners except the two properties permitted by the Honourable supreme court vide order dated 14.07.2025 and stay of Auction No. MSTC/HYD/Directorate of Enforcement/2/ HYDERABAD / 25-26/24672 as illegal, arbitrary, and unconstitutional for violating Art 14, 21 and 300A.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of Auction No. MSTC/HYD/Directorate of Enforcement/2/HYDERABAD/25-26/24672 issued by respondent no.6 pending disposal of the writ petition.

Counsel for the Petitioner : SRI G.VENKAT RATNAM GOUD

Counsel for the Respondents: SRI D.PRABHAKAR RAO, SC FOR ED

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.24966 of 2025

ORDER:

Heard learned counsel for the petitioners and learned Standing Counsel for the appearing for the respondents, and perused the record.

2. This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

"...to issue Writ, Order or Direction more particularly one like Writ of Mandamus the respondents trying to auction the all properties of petitioners except the two properties permitted by the Honourable supreme court vide order dated 14.07.2025 and stay of Auction No.MSTC/HYD/Directorate of Enforcement/2/HYDERABAD / 25-26/24672 as illegal, arbitrary and unconstitutional for violating Art 14, 21 and 300A..."

3. Brief facts of the case are that the petitioners are the absolute owners and possessors of the properties listed under the Auction No.MSTC/HYD/Directorate of Enforcement/2/HYDERABAD/25-26/24672, conducted by respondent No.6 on behalf of the respondent Nos.1 to 5. It is submitted that the Hon'ble Apex Court vide order dated 14.07.2025 in M.A No. 1169/2025 in W.P. (Crl.) No.31/2020 has permitted the auction of the two properties belonging to the petitioners and specifically directed the respondents to proceed strictly in accordance with law, but the respondents illegally listed several properties and are proceeding to

auction in violation of the Hon'ble Apex court. It is further submitted that under the Prevention of Money Laundering Act, 2002 (PMLA), the properties that are provisionally attached can only be confiscated upon conforming by the Adjudicating authority followed by the trial and conviction by the Special Court, and the respondents without following any due processes, attached the properties for auction and auction is being done, which is premature, arbitrary and unlawful. It is further submitted that the Appellate Tribunal (PMLA), New Delhi vide order dated 03.06.2024 directed the both the parties to maintain *status quo* in respective of attached properties till further orders, and in spite of the said orders the respondents have attached and auctioning the properties despite the Hon'ble Supreme Court granted only auctioning of two properties.

4. Learned Standing Counsel for the appearing for the respondents relied upon the judgment of the Hon'ble Apex court vide order dated 14.07.2025 in M.A No. 1169/2025 in W.P. (Crl.) No.31/2020 and submitted that the said matter was treated as part heard and listed after twelve weeks.

5. Since the matter has been seized before the Hon'ble Apex Court and listed after twelve weeks, this Court is not inclined to

grant any relief and this writ petition is dismissed. No order as to costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

**SD/-P. PONNA KRISHNA
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI G.VENKAT RATNAM GOUD, Advocate. [OPUC]
2. One CC to SRI D.PRABHAKAR RAO, SC FOR ED. [OPUC]
3. Two CD Copies.

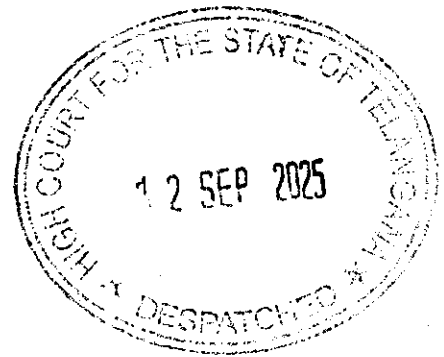
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HIGH COURT

DATED:21/08/2025



ORDER

WP.No.24966 of 2025

**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

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