



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 37203 OF 2025 (GM-RES)

BETWEEN:

MR. RAJESH GOOLIGOWDA
SON OF MR. GOOLIGOWDA,
AGED ABOUT 46 YEARS,
RESIDING AT 4344, 2ND CROSS,
D ROAD, IDEAL HOMES,
VTC: RAJARAJESHWARINAGAR,
BENGALURU - 560 098
(KARNATAKA)

...PETITIONER

(BY SRI. ABHINAG S, ADVOCATE)

AND:

Digitally signed by
SANJEEVINI J
KARISHETTY
Location: High Court
of Karnataka

1. THE DEPUTY DIRECTOR,
DIRECTORATE OF ENFORCEMENT,
BENGALURU ZONAL OFFICE,
BENGALURU
HAVING ITS OFFICE AT 3RD FLOOR,
B BLOCK, BMTTC, SHANTINAGAR,
TTMC, K.H. ROAD,
BENGALURU - 560 027. (KARNATAKA)
2. THE JOINT DIRECTOR,
DIRECTORATE OF ENFORCEMENT,
BENGALURU ZONAL OFFICE,
BENGALURU



HAVING ITS OFFICE AT
3RD FLOOR, B BLOCK, BMTC,
SHANTINAGAR, TTMC, K.H. ROAD,
BENGALURU - 560 027
(KARNATAKA)

3. THE ADJUDICATING AUTHORITY
ROOM NO. 26, 4TH FLOOR,
JEEVAN DEEP BUILDING,
PARLIAMENT STREET,
NEW DELHI - 110 001.

...RESPONDENTS

(BY SRI. MADHU N. RAO, ADVOCATE FOR R1 AND R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO A. QUASHING THE
PROVISIONAL ATTACHMENT ORDER BEARING NO. 16/2025
DATED 19.06.2025 BY RESPONDENT NO. 2 (AT ANNEXURE A),
QUA THE PETITIONER'S MOVABLE PROPERTY, NAMELY,
TOYOTA FORTUNER, WHITE COLOURED CAR, BEARING
REGISTRATION NO. KA-05-NG-7718 (AT SERIAL NO. 2, OF
SCHEDULE B) AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioner is before the Court seeking the following prayers:

- "a. Issue a writ of certiorari or any other appropriate writ as this Hon'ble Court may deem fit, quashing the Provisional Attachment Order bearing No.16/2025 dated 19.06.2025 by respondent No.2 (at Annexure 'A'), qua the Petitioner's movable property, namely, 'Toyota fortuner, white Coloured Car, bearing Registration No.KA-05-NG-7718' (at Serial No.2, of Schedule B).
- b. Issue a writ of certiorari or any other appropriate writ as this Hon'ble Court may deem fit, quashing the Original complaint No.312 of 2025 dated 16.07.2025, before the Respondent No.3 (at Annexure 'E'), qua the Petitioner and his movable property, namely, 'Toyota Fortuner, White coloured Car bearing Registration No.KA-05-NG-7718' (at Serial No.2, of Schedule B).
- c. Issue a writ of certiorari or any other appropriate writ as this Hon'ble Court may deem fit, quashing the Recording of Reasons and Show Cause Notice dated 01.08.2025, issued to the Petitioner by Respondent No.3 (at Annexure 'F').
- d. Issue a writ of certiorari or any other appropriate writ as this Hon'ble Court may deem fit, quashing the Order dated 24.11.2025 by Respondent No.3 in the Original Complaint No.312 of 2025 (at Annexure 'B'), qua the Petitioner's movable property, namely, 'Toyota Fortuner, White Coloured Car, bearing Registration No.KA-05-NG-7718' (at Serial No.2, of Schedule B).
- e. Pass any such order as this Hon'ble Court considers fit in the interest of justice and equity."



2. Heard Sri. Abhinag S., learned counsel appearing for the petitioner and Sri. Madhu N. Rao, learned counsel appearing for respondents No.1 and 2.

3. The petitioner is said to have lent certain amount to one Ms. Aiswarya Gowda acceding to her request to fulfil her business commitments. The loan is only for Rs.2,13,00,000/- with a nominal interest of 6%. Certain crimes are registered against Ms. Aiswarya Gowda. The learned counsel submits that they are seven in number. The petitioner, who had lent the loan comes into the web of proceeding. The Enforcement Directorate passes an order of provisional attachment of the petitioner's movable property on 19.06.2025 and prior to confirmation, issue a show cause notice directing the petitioner to submit his reply on or before 11.09.2025. The last date indicated in the show cause notice to submit a reply was 11.09.2025, but the show cause notice itself reaches the doors of the petitioner on 17.09.2025. Therefore, the reply of the petitioner was not taken note of and an order comes to be passed on 24.11.2025 confirming the provisional attachment. It is this that is called in question before this Court.



4. The learned counsel appearing for the petitioner would reiterate the afore-narrated facts to submit that the order of confirmation of attachment runs counter to law or violation of principles of natural justice.

5. Sri. Madhu N. Rao, learned counsel appearing for respondents No.1 and 2 would not dispute the facts of the dates that are happened as narrated hereinabove. Therefore, the issue now lies in a narrow compass at this juncture.

6. In the light of the admitted fact that the show cause notice was issued on 11.09.2025 and It was dispatched on 16.09.2025. Last date indicated in the show cause notice to submit a reply is 11.09.2025 long before its dispatch even. The show cause notice reaches the doors of the petitioner on 17.09.2025. No opportunity of considering the reply submitted by the petitioner is found to be granted to the petitioner in the light of the afore-narrated dates.

7. In that light, the petition deserves to succeed only in part insofar as the grant of an opportunity to the petitioner. Therefore, the matter is remitted back to the hands of the



concerned authority from the stage of consideration of a reply to the show cause notice. Since the petitioner had not submitted his reply, he shall now submit his reply within two weeks from the date of receipt of the copy of the order and the concerned authority shall consider the reply and pass necessary orders, thereon regulating its procedure.

Ordered accordingly.

Sd/-
(M.NAGAPRASANNA)
JUDGE

JY
List No.: 2 Sl No.: 21