

ITEM NO.4

Court 5 (Video Conferencing)

SECTION XI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.6344/2021

(Arising out of impugned final judgment and order dated 18-03-2021 in MB No. 7362/2021 passed by the High Court of Judicature at Allahabad, Lucknow Bench)

NAMRATA MARKETING PRIVATE LIMITED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for IA No.55533/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.55534/2021-EXEMPTION FROM FILING O.T.)

Date : 27-04-2021 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv.  
Mr. Mohd. Zahid Hussain, Adv.  
Mr. Camran Iqbal, Adv.  
Mr. Shahid, Adv.  
Mr. Anil Kumar, Adv.  
Mr. Kamal Mohan Gupta, AOR

For Respondent(s)

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

- 1 Mr Sidharth Dave, learned senior counsel appearing on behalf of the petitioner submits that:

- (i) The appeal under the provisions of Section 26 of the Prevention of Money Laundering Act is against the order of adjudication under Section 8 with a further appeal to the High Court under Section 42;
- (ii) No appeal is provided against the order of provisional attachment;
- (iii) In consequence, the writ petition under Article 226 of the Constitution was maintainable; and
- (iv) The High Court has erred in declining to go into the merits of the challenge to the order of attachment on the ground that the writ petition would not be maintainable in view of the availability of an alternative remedy. On these premises, it has been submitted that an order of remand would be necessary for the High Court to consider the merits of the challenge to the order of provisional attachment.

2 Issue notice, returnable in four weeks.

3 Dasti, in addition, is permitted.

4 Liberty to serve the Central Agency, in addition.

5 Counter affidavit shall be filed within a period of six weeks from the date of service of notice.

6 List the Special Leave Petition on a non-miscellaneous day in the week commencing 12 July 2021.

**(CHETAN KUMAR)**  
**A.R. - cum - P.S.**

**(SAROJ KUMARI GAUR)**  
**Court Master**