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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 991 OF 2015
IN
CRIMINAL APPEAL NO. 239 OF 2012

Union of India .. Applicant

In the matter between

Rheema Hassan Ali Khan .. Appellant

Vs.

Union of India and anr. .. Respondents

WITH
CRIMINAL APPLICATION NO. 992 OF 2015
IN
CRIMINAL APPEAL NO. 240 OF 2012

Union of India .. Applicant

In the matter between

Hassan Ali Khan .. Appellant

Vs.

Union of India and anr. .. Respondents

Mr. Anil Singh, Addl. Solicitor General a/w Ms. Rebecca Gonsalvez for
UOI/applicant.

Mr. Nand Kishore a/w Mr. Pradeep Katewal and Ms. Fatima Boradawala
i/by has Advocates for original appellants.

Dr. F. R. Shaikh, APP for State.

CORAM: NARESH H. PATIL &
A. R. JOSHI, JJ.

OCTOBER 21, 2015.

P.C.

1. The applicant/Union of India prays for clarification of order dated 30/01/2013 to the effect that the status quo order in respect of immovable properties at Sr. Nos.1 and 2 and moveable property at Sr. No.1 in the communication dated 14/2/2012 was continued for a period of two weeks from the date of order i.e. 30/01/2013.

2. We have heard the learned Addl. Solicitor General for the applicant/Union of India and the learned counsel for the original appellants. The affidavit-in-replies have been filed before this court on behalf of the original appellants. We have perused the order dated 3/2/2012 at Exh. "B" passed by the Appellate Tribunal under Prevention of Money Laundering Act, New Delhi and other relevant record.

3. It is a matter of surprise that the Union of India has approached this court for clarification of the order passed by this court on 30/01/2013 by filing an application on 11/8/2015. It is a matter of introspection for the applicant and its responsible officers.

4. The perusal of the order passed by us on 30/01/2013 shows that at the time of passing of the order of dismissal of the appeals, a

request was made on behalf of the original appellants for continuation of the interim relief granted by this court for a further period of two weeks. The said statement was recorded in para 6 of the order dated 30/01/2013. In para 7 of the order dated 30/01/2013 a statement made on behalf of the Union of India was recorded to the effect that the status quo would be maintained for a period of two weeks from the date of passing of the order.

5. Accordingly, in para 10 of the order dated 30/01/2013 we observed that the appeals were dismissed, however, the Directorate of Enforcement was directed to maintain status quo in respect of the subject properties, immovable and moveable. It is clear from the said order that the status quo granted by us was for a period of two weeks only from the date of passing of the order i.e. 30/01/2013.

6. We clarify that the order of status quo granted by us under order dated 30/01/2013 was for a period of two weeks. It is further clarified that this order shall not affect merits of the proceedings pending before the appropriate Tribunal.

7. Applications are disposed of accordingly.

(A. R. JOSHI, J.)

(NARESH H. PATIL, J.)