

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1413 OF 2015

Martin Evans	 Petitioner
Vs.	
The Special Director, Directorate of Enforcement & Ors.	 Respondents

AND

WRIT PETITION NO.1414 OF 2015

Dhananjay Tapasvi	 Petitioner
Vs.	
The Special Director, Directorate of Enforcement & Ors.	 Respondents

AND

WRIT PETITION NO.1435 OF 2015

Sobhan Ghosh	 Petitioner
Vs.	
The Special Director, Directorate of Enforcement & Ors.	 Respondents

AND

WRIT PETITION NO.1465 OF 2015

James Sylvester	 Petitioner
Vs.	
The Special Director, Directorate of Enforcement & Ors.	 Respondents

AND

WRIT PETITION NO.1481 OF 2015

Ashim Mukerjee

.... Petitioner

Vs.

The Special Director,

Directorate of Enforcement & Ors.

.... Respondents

Mr. Amit Desai, Senior Counsel with Mr. Prakash Shah,
Mr. Nishant Thakkar and Mr. Jas Sanghavi i/by M/s. PDS
Legal for the Petitioner in all petitions.

Mr. A.J. Rana, Senior Counsel with Ms Shehnaz V.
Bharucha for the Respondents in all petitions.

CORAM: S.C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

DATE : JULY 11, 2016

P.C:

Having heard Mr. Desai, learned Senior Counsel appearing for the petitioners and Mr. Rana, learned Senior Counsel appearing for the respondents, we are of the opinion that the undisputed position of the contravention having been compounded and by the Competent Authority under Section 15 of the Foreign Exchange Management Act, 1999 would demonstrate that nothing survives in these petitions. They can

be disposed of in terms of the order of compounding and made by the Competent Authority. Once the contravention has been compounded, then, in terms of sub-section (2) of Section 15, all consequences in law shall follow and it is not necessary for this Court to give any declaration in that regard. We have no doubt in our mind that the authorities will proceed in terms of the statutory mandate and, if necessary, make a formal order to close the proceedings. The writ petitions are disposed of.

(DR. SHALINI PHANSALKAR-JOSHI, J.)

(S.C. DHARMADHIKARI, J.)