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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 8630/2016

EMMAR HILLS TOWNSHIP PRIVATE LIMITED..... Petitioner

Through: Mr Abhinav Agnihotri and Mr Abhilasha Singh, Advocates.

versus

DIRECTORATE OF ENFORCEMENT..... Respondent

Through:: Mr Rajat Gava, proxy counsel for Mr Sanjeev Narula, CGSC for UOI.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

% 28.08.2018

1. The petitioner has filed the present petition impugning the orders dated 15.02.2013 and 09.04.2015 passed by the Adjudicating Authority. It is the petitioner's case that the Provisional Attachment order under Section 5 of the Prevention of Money Laundering Act, 2002 (hereafter 'the Act') and the subsequent confirmation under Section 8 of the Act, are without jurisdiction as at the material time, the respondent had not filed either a challan or a chargesheet in respect of an offence of money laundering under Section 3 of the Act.

2. Admittedly, the petitioner has an equally efficacious remedy by filing an appeal before the Appellate Tribunal established under the Act. This Court is also informed that the petitioner had already taken recourse to the said remedy and the petitioner's appeal before the Appellate Tribunal is now

listed for final hearing on 22.10.2018.

3. In the aforesaid circumstances, this Court does not consider it apposite to pass any orders in the said petition. The Appellate Tribunal is requested to dispose of the petitioner's appeal as expeditiously as possible, preferably within a period of four months from today.

4. All contentions of the parties are reserved.

5. The petition is disposed of.

VIBHU BAKHRU, J

AUGUST 28, 2018
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