

\$~58

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

+ **W.P.(C) 9332/2018**

CONFEDERATION OF ALL INDIA TRADERS Petitioner

Through Mr T. Sundar Ramanathan, Mr Abir Roy,
Ms Kumudavalli S. Advocates.

versus

DIRECTORATE OF ENFORCEMENT & ORS. Respondents

Through Mr Amit Mahajan, CGSC/UOI with
Ms Mallika Hiremath, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **05.09.2018**

C.M. No.36093/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 9332/2018

3. The petitioner has filed the present petition, *inter alia*, praying as under:-

“Issue a Writ of Mandamus directing the Respondent No. 1 to initiate an inquiry against Respondent nos. 2 and 3 and their associated companies / enterprises / group companies etc., at the earliest possible instance for violations of the provision of the Foreign Exchange Management Act, 1999;”

4. The petitioner submits that respondent nos. 2 and 3 have violated certain provisions of the Foreign Exchange Management Act, 1999 (FEMA). It is further claimed that a representation in this regard has already

been made to respondent no.1.

5. Mr Mahajan, the learned counsel appearing for the respondent no.1 submits that respondent nos. 2 and 3 are located in Bangalore and there is a possibility that issue has been examined by the concerned authorities having jurisdiction in respect of Bangalore. He, nonetheless, states that the averments made in the petition would be considered by respondent no.1 and if any inquiry or investigation is warranted, steps in this regard would be taken by the concerned authorities.

6. In view of the above, no further orders are required to be passed in this petition, the same is, accordingly, disposed of.

7. It is clarified that this Court has not expressed any opinion on the allegations made in this petition. This would also not be considered as an order compelling the respondent no.1 to necessarily undertake any investigation or inquiry.

VIBHU BAKHRU, J

SEPTEMBER 05, 2018

pkv