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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.A. 1072/2018**

RAMESH KUMAR PATODIA Appellant

Through: Mr. Govind Rishi, Adv.

versus

ADDL DIRECTOR ENFORCEMENT Respondent

Through: Mr. Amit Mahajan, CGSC.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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16.10.2018

Present petition is nothing but a gross abuse of process of law. Vide order dated 26.02.2016, Appellate Tribunal had afforded opportunity to the appellant to furnish reliable security for 50% of the total amount of penalty imposed against him, subject to satisfaction of Enforcement Directorate within a period of 30 days. This order was not challenged. Instead, an application was filed by the appellant before the Tribunal to extend the time for complying the order. This application was taken up on 18.07.2018 and has been listed for 28.11.2018. In the meanwhile, appellant has been directed to furnish the immovable property for the said amount. Appellant has now filed present appeal thereby not only has assailed the order dated 18.07.2018 but also order dated 26.02.2016. Appeal against the order dated 26.02.2016 is highly belated, inasmuch as, the same cannot be entertained as

appellant has himself approached the Tribunal seeking time for complying the said order; meaning thereby he had accepted the said order and desired only extension of time for complying the said order.

As regards order dated 18.07.2018 is concerned, I do not find any illegality or irregularity in the said order. Rather this order is in favour of appellant as Tribunal has afforded opportunity to the appellant to furnish security.

For the foregoing reasons, appeal is dismissed with cost of ₹20,000/- to be deposited with Kerala Chief Minister's Distress Relief Fund within four weeks. Receipt be filed in the Registry. It is made clear that no further petition/appeal of the appellant shall be entertained by the Registry till the receipt evidencing deposit of costs, is produced. Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

OCTOBER 16, 2018

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