

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

**NOTICE OF MOTION NO.253 OF 2019
IN
WRIT PETITION NO.1106 OF 2019**

Shri Vijay Vittal Mallya

... Petitioner

Vs

The Union of India & Ors.

... Respondents

Mr.Amit Desai, Senior Advocate with Mr.Ravi Gandhi i/b Kanga &
Co. for the Petitioner

Mr.D.P. Singh with Mr.Hiten Venegavkar for the Respondents

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATED: JULY 11, 2019

P.C.:

1. The original petitioner has taken out this Motion for the
following reliefs:

- “a. that pending the hearing and final disposal of the
present Writ Petition whatever orders may be passed
hereafter by the authorities/Special Court under the FEO Act
will be subject to the final decision in the present Writ
Petition;
- b. ...
- c.”

2. We have heard the learned Counsel for the parties in connection with the said prayer. We notice that a Division Bench of this Court while issuing notice by order dated 24.4.2019 in the context of the interim relief prayed in the petition, had made following observations:

“3. Mr. Desai, learned senior counsel for the Petitioner pressed for interim relief. However, we find that the Petitioner is declared fugitive offender by the Special Court for PMLA, Greater Mumbai vide its well-reasoned order dated 5th January 2019. We also find that the order of the Special Court is assailed before this Court and the said writ petition is pending but there is no stay. In these peculiar facts, coupled with the object and scheme of the said Act, we are not inclined to grant interim relief at this stage.

3. Thus, the request for grant of any interim relief at that stage was refused. We do not see any reason to grant the interim prayer as sought in the Notice of Motion.

4. Notice of Motion is dismissed.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)