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

+ **W.P.(C) 11425/2019**

M/S VOS TECHNOLOGIES (INDIA) PVT. LTD. Petitioner

Through: Dr. G.K. Sarkar, Advocate with Ms.
Malabika Sarkar and Mr. Prashant
Srivastava, Advocates.

versus

DIRECTORATE OF REVENUE INTELLIGENCE & ORS..... Respondents

Through: Mr. Ajit Sharma, Advocate for
Respondent No. 1.

Mr. Vikas Tomar, Advocate with Mr.
Simarpal Singh Sawhney, Advocate
for Respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.10.2019**

CM APPL. 47005/2019 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The Petitioner has preferred the present writ petition to seek the following relief:-

- (i) To issue an appropriate writ/order or direction quashing the direction of Respondent No.1 given vide email to Respondent No.2 and 3 to freeze the Account Nos. 169405000684 and

588010100001885 as conveyed vide letters dated 03.06.2019 and 08.08.2019 of Respondent No.2 and 3.

4. All that the Petitioner has disclosed in this petition is that Respondent No. 1 had issued directions to Respondent Nos. 2 & 3 to freeze the Petitioner's bank accounts, particulars whereof have been disclosed in this petition.

5. Pertinently, the background in which the directions have been issued by Respondent No. 1 are conspicuous by their absence. It is also not disclosed as to what has led to the said freezing of the bank accounts of the Petitioner.

6. Mr. Sharma, who appears on advance notice, submits that, in fact, the Petitioner was arrested and there is an allegation of evasion of Customs Duty to the tune of Rs. 60 Crores against the petitioner. Learned counsel for the Petitioner submits that no disclosure of the background facts has been made since the issue is revealed and the Petitioner challenges the authority of Respondent No. 1 to direct the freezing of the bank accounts of the Petitioner.

7. When a Petitioner approaches this Court invoking its extraordinary jurisdiction under Article 226 of the Constitution, which is discretionary in nature, it is imperative for the Petitioner to disclose all the relevant facts and circumstances which may have bearing on the exercise of such discretionary power and jurisdiction of the Court.

8. In this context, the non-disclosure of facts which have led to the freezing of bank accounts of the Petitioner including the pertinent fact that he is

accused of evasion of Customs Duty to the tune of Rs. 60 Crores and that he was arrested are extremely relevant and material.

9. In view of the suppression of the relevant facts and circumstances by the Petitioner, we are not inclined to exercise the jurisdiction in this case.

10. The petition is accordingly dismissed.

VIPIN SANGHI, J

SANJEEV NARULA, J

OCTOBER 24, 2019/ss