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

+ **W.P.(C) 8356/2018 and CM APPL. 32054/2018**

VINOD PHADKE & ANR.

..... Petitioners

Through: Mr Gurmehar Sistani, Mr Ninad
Laud, Mr Ivo D'Costa and Mr
Aditya P. Swain, Advocates.

versus

ENFORCEMENT DIRECTORATE & ORS. Respondents

Through: Mr Amit Mahajan, CGSC with Ms
Mallika Hiremath, Advocate for
CGSC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.02.2019

1. Mr Mahajan, learned counsel appearing for the respondents points out that the petitioner is in Goa; the property sought to be attached is in Goa; the officer who has passed the provisional attachment order is located in Goa; and the FIR has also been registered in Goa. He submits that in the aforesaid view, it would be apposite if the petitioner is relegated to avail of his remedies, if any, before the appropriate Court. He has also referred to the decision of the Division Bench in *Aasma Mohammed Farooq & Anr. v. Union of India & Ors.: W.P.(C) 12494/2018, decided on 05.12.2018* in support of his contention.

2. In view of the aforesaid judgment, learned counsel appearing for the petitioner seeks to withdraw the present petition, with liberty to avail of his remedies before the appropriate court/Tribunal

3. The petitioner further request that the interim order be continued for a further period of four weeks to enable the petitioner to approach the competent court/Tribunal.
4. The petition is dismissed as withdrawn with the aforesaid liberty. If an appeal is filed before the appellate tribunal within a period of four weeks, the same would be considered uninfluenced by the question of delay. It is directed that the petitioner shall not be dispossessed of the property in question for a further period of four weeks.
5. Order *dasti* under signature of Court Master.

FEBRUARY 05, 2019
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VIBHU BAKHRU, J