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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11287/2016 & CM Appl. 44167/2016 & CM Appl. 8567/2017**

LOUIS DREYFUS COMPANY INDIA PVT. LTD Petitioner
Through Mr Pawan Narang, Mr Siddharth
Handa, Mr Kitan Goel, Advocates.

versus

UNION OF INDIA & ORS Respondents
Through Mr Ajit K. Singh, Mr Kumar Sameer,
Advocates for R1 to R3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **28.01.2019**

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

“(a) issue writ of mandamus or a writ in the nature of mandamus or any other appropriate writ order or direction quashing the impugned action / decision on the part of Respondent No. 3 in issuing the impugned directive/order [copy of which has not been supplied to the Petitioner] to Respondent No. 4 bank to debit-freeze the bank account of the Petitioner:

(b) Direct Respondent no. 4 to revert the status of the account from 'No debit' to that of normal;

(c) Direct Respondent No. 3 to disclose to the Petitioner the reasons for freezing of the account;

(d) In the interim allow the Petitioner to use the facilities as available under the account which has been directed by the respondent no. 3 to be put on freeze; and/or,”

2. The petitioner is, essentially, aggrieved by the communications issued by respondent no. 3 (Directorate of Enforcement) to its banker (respondent no.4 – Citibank N.A.) whereby respondent no. 4 was directed not to allow any withdrawal from the bank accounts maintained by the petitioner with respondent no. 4 bank. The question whether the Directorate of Enforcement can issue any such communications is covered by a decision of this Court in ***Abdullah Ali Balsharaf and Another v. Directorate of Enforcement and Ors: 2019 SCC On Line Del 6428.***

3. However, this Court is informed that subsequent to the filing of the present petition, respondent no. 3 issued an order under Section 5 of the Prevention of Money Laundering Act, 2002. Subsequently, the Adjudicating Authority has also passed an order under Section 8 of the said Act. The petitioner has also filed an appeal before the Appellate Authority.

4. Although the directions issued by respondent no.3 are without authority of law, no relief can be granted to the petitioner as subsequent to the impugned directions (communications to debit-freeze the bank accounts) orders have been passed under the provisions of the said Act. And, the petitioner has already availed of its remedies against the said orders.

5. The petition is, accordingly, disposed of. The pending applications are also disposed of.

VIBHU BAKHRU, J

JANUARY 28, 2019/pkv