

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

114

CWP-10958-2020

Date of decision: 30.07.2020

ROHIT GUPTA

....PETITIONER

V/S

UNION OF INDIA AND OTHERS

....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE S.N. SATYANARAYANA
HON'BLE MRS. JUSTICE ARCHANA PURI**

**Present: Mr. Karanyog Singh Riar, Advocate,
For the petitioner.**

S.N. SATYANARAYANA, J.

This matter has been taken up through video-conferencing due to pandemic of COVID-19 and as per instructions.

The petitioner would claim that he is one of the Director of M/s Genex Infratech Limited and M/s Genex Polyfab Limited. He would also state that respondents No.18 to 20 in this writ petition are also Directors of the very same company, who according to him, have been involved in large scale scam and facing criminal prosecution for the same. It is in this background that 74 properties of the company were subjected to attachment by various authorities including Bank, Enforcement Directorate, Income Tax Department and other departments and it is also stated that interim order were granted by several Courts including learned Single Judge and Coordinate Bench of this Court. It is in this background, he would submit that in spite of interim orders being there, some of the properties numbering to nearly 24 are disposed of/wasted by respondents No.18 to 20, contrary to the interim orders granted by various Courts.

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Therefore, in the aforesaid background, he made certain prayers in this petition in the garb of trying to protect the remaining properties. In the aforesaid situation, we are unable to understand how such a writ petition is maintainable. Even assuming that respondents No.18 to 20 have dealt with the properties, which are subject matter of attachment order, the persons who have acquired title to that, will not be getting absolute title to that. In addition to that, if there is any violation of any of the order of either learned Single Judge or Coordinate Bench of this Court or any other authority, resulting in disposal of the property, which was subject matter of attachment, then the consequence of contempt proceedings and criminal prosecution cannot be ruled out. Therefore, in the present situation, this Court is of considered opinion that present petition does not survive consideration. Accordingly, the same is dismissed at the threshold itself without ordering any notice to any of the respondents.

(S.N. SATYANARAYANA)
JUDGE

(ARCHANA PURI)
JUDGE

30.07.2020

himanshu

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No