

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

CWP-2596-2022

Date of decision: 11.02.2022

Rakesh Kumar Bhanot

.... Petitioner

Versus

Union of India and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE PANKAJ JAIN**

**Present: Mr. Sirdevender Goyal, Advocate
for the petitioner.**

(Through Video Conferencing)

AJAY TEWARI, J (ORAL)

This petition has been filed pursuant to the order dated
18.01.2022 (Annexure P-8) which is quoted herein below:-

“Vide this common order we shall dispose of above said three writ petitions as common question of law and facts are involved therein. For the sake of convenience, facts are being taken from CWP-827-2022.

2. This petition has been filed praying for setting aside the impugned order dated 28.12.2021(Annexure P-1) passed in original complaint OC/1302/2020 in PAO01/2020 dated 18.5.2020 in ECIR/JLZO/03/2017 and notice dated 06.1.2022 (Annexure P-2).

3. The limited prayer made by the petitioner in this petition is that by the impugned order (Annexure P-2) the respondent-ED has directed the petitioners to vacate the premises even before the limitation of the appeal has expired.

4. Learned counsel for the petitioner states that he would be satisfied, at his stage, if the petitioner is allowed to file an appeal within the limitation and till then no coercive action be taken against him.

5. We find this to be a fair request. Consequently, we dispose of above-mentioned three writ petitions with a direction to the respondents not to taken any coercive action against the petitioners till the limitation of filing of appeal does not expire.

6. Since the main cases have been decided, the pending civil miscellaneous application, if any, also stands disposed of.

It is now stated that the Tribunal is not functional and therefore the order which was granted by this Court cannot give any benefit to the petitioner.

Notice of motion.

On advance notice, Mr. Satya Pal Jain, Additional Solicitor General of India with Mr. Sanjay Vashisth, Senior Panel Counsel, appears and accepts notice on behalf of the respondents No.1 and 2 and has fairly stated that it is correct that the Tribunal is still not functional.

In these circumstances, it is directed that now the petitioner may file an appeal within 15 days from today, no coercive action will be taken against the petitioner till such time the application for stay is taken up and decided by the Appellate Tribunal whenever the Tribunal may start functioning.

Petition stands disposed of in above terms.

(AJAY TEWARI)
JUDGE

(PANKAJ JAIN)
JUDGE

11.02.2022
Dinesh

Whether speaking/reasoned : Yes
Whether Reportable : No