

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

CWP-10829-2022 (O&M)

Date of Decision: 19.05.2022

Surbhi Goyal Iyre

.....Petitioner

Versus

Directorate of Enforcement and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

HON'BLE MR. JUSTICE PANKAJ JAIN

Present:- Mr. Navdeep Singh, Advocate and
Mr. Ashim Aggarwal, Advocate for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Sanjay Vashisth, Senior Panel Counsel for respondents.

TEJINDER SINGH DHINDSA J.(Oral)

An advance copy of the writ petition already stood served upon the respondents.

Mr. Satya Pal Jain, learned Additional Solicitor General of India assisted by Mr. Sanjay Vashisth, Senior Panel Counsel, has entered appearance on behalf of the respondents.

Counsel for the parties are *ad idem* that CWP-4523-2022 (M/s SRS Limited Vs. Deputy Director, Directorate of Enforcement, Gurugram, Chandigarh) had been filed raising identical issue and such writ petition had been disposed of vide order dated 08.03.2022 in the following terms:

“1. This petition has been filed praying for quashing of the orders dated 22.02.2022 (Annexure P-1) issued under the provision of Section 8(4) of the PMLA Act, 2002 by the Deputy Director, Enforcement of Directorate, Gurugram Zonal Office, Chandigarh for taking possession of the various assets of the petitioner forming part of the Liquidation estate of the Corporate Debtor, attached vide Provisional Attachment Order No.1 of 2020 dated 08.01.2020 (Annexure P-3). Learned Senior counsel has fairly accepted that there is a remedy of an appeal and has infact filed an appeal before the Tribunal, but the Tribunal is not functional and

consequently he is constrained to move this Court by way of writ petition.

2. Notice of motion.

3. Mr. Alok Jain, Standing counsel on behalf of the respondents, appears and accepts notice on behalf of the respondents and has very fairly accepted that the Tribunal is yet not functional.

4. In the circumstances, we dispose of the present petition with a direction that till such time the application for stay is considered and decided by the Tribunal, no coercive action be taken against the petitioner.

5. Petition stands disposed of in above terms.

6. Since the main case has been decided, the pending application, if any, also stands disposed of.”

In view of the above, instant petition also stands disposed of in terms of order dated 08.03.2022 passed in CWP-4523-2022.

(TEJINDER SINGH DHINDSA)
JUDGE

(PANKAJ JAIN)
JUDGE

19.05.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No