

Rajeshri Aher

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.3714 OF 2023

Ravi Ayyaswamy Ramasubramanian ... Petitioner

Versus

Directorate Of Enforcement
Through Deputy Director,
Mumbai Zonal – II,
Worli, Mumbai and Anr.

... Respondents

....

Mr.Swapnil Ambure, (present Through Video Conferencing) a/w.
Mr.Deepak Patel and Ms.Ketki Mulik, Advocate for the Petitioner.

Mr.H.S. Venegaonkar a/w. Mr.Harsh Dedhia and Mr.Aayush Kedia,
Advocate for Respondent No.1.

Mr.S.V. Gavand, APP for Respondent No.1–State.

....

**CORAM : G.A. SANAP AND
MANJUSHA DESHPANDE, JJ.**

VACATION COURT

DATED : 17 NOVEMBER 2023

P.C.:

1 Heard the learned counsel for the Petitioner and the learned Special Counsel for Respondent No.1–Enforcement Directorate. It is undisputed that the remedy of Appeal against the impugned order, is available to the Petitioner. The learned advocate for the Petitioner submits that within a limitation period of 45 days from the date of service of order, the Petitioner can file the Appeal. The learned counsel for the Petitioner submits that considering the health condition of the

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Petitioner, the delay to file Appeal has occurred. The learned counsel for the Petitioner submitted that on 09 November 2023 alongwith the Confirmation Order, the Eviction Notice dated 08 November 2023 was served to the Petitioner.

2 The learned Special Counsel for Respondent No.1–Enforcement Directorate submits that the Petitioner may be directed to take recourse to the remedy of Appeal. The learned Special Counsel submits that considering the peculiar facts stated by the learned counsel for the Petitioner, the Court may pass an appropriate orders.

3 Accordingly, it is ordered that for the next 15 days from today, Respondent No.1–Enforcement Directorate shall not take possession of the property mentioned in the Eviction Notice dated 08 November 2023. The Petitioner for the next 15 days shall not in any manner dispose of the property mentioned in the Eviction Notice dated 08 November 2023.

4 Writ Petition is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(G.A. SANAP, J.)