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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Decision: 22nd March, 2023

+ **W.P.(C) 12552/2022 & CM APPL.38013/2022**

AXIS BANK

..... Petitioner

Through: Mr. Amit K. Mishra, Mr. Siddhant
Bajaj and Ms. Mitakshara Goel,
Advocates. (M:99999867673)

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. Anurag Ahluwalia CGSC for ED.
Mr. Bhagvan Swarup Shukla, CGSC
with Sarvan Kumar, Advocate for
UOI. [M:9910483635]

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed challenging the impugned final order dated 13th December, 2021 passed by the Adjudicating Authority by which the Provisional Attachment Order *No. 1/2021*, dated 29th January, 2021 was confirmed.
3. It is the submission of the Petitioner that it wishes to avail of its appellate remedy by filing an appeal before the Appellate Tribunal under PMLA, 2002.
4. Accordingly, the present petition is disposed of, relegating the Petitioner to avail of its appellate remedy within 30 days. The period of pendency before this Court i.e., 8th August, 2022 till 23rd April, 2023, shall stand excluded for the purpose of calculating the limitation of 180 days under Sections 5 & 8 of PMLA, 2002. In addition if the appeal is filed in 30

days, the period during which the present petition was remaining pending, shall be excluded for the purposes of calculating limitation for filing of appeal challenging the impugned order dated 13th December 2021.

5. Interim order already passed on 31st August, 2022 shall continue till the first date of listing before the Appellate Tribunal.

6. It is clarified that the Court has not examined the merits of the case. All the contentions of the parties are left open.

7. The present petition along with all pending applications, if any, is disposed of in the above terms.

PRATHIBA M. SINGH
JUDGE

MARCH 22, 2023

dj/sk

