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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 763/2024, CM APPL. 45225/2024 & CM APPL. 45226/2024
DEPUTY DIRECTOR DIRECTORATE
OF ENFORCEMENTAppellant

Through: Mr. Anurag Ahluwalia, CGSC with
Mr. Kritagya Kait, G.P., Mr. Anand
Kirhi, Advocate, Mr. G.
Subramaniam, DD, ED and Mr. Vijay
Kumr, AD, ED.

versus

GAGAN INFRAENERGY LTD & ANR.Respondents
Through: Mr. Mohit Mathur, Sr. Advocate with
Mr. Hemant Shah, Mr. Gurpreet
Singh Parwanda, Mr. Akshay Rana,
Mr. Anirudh Sharma, Mr. Pallav
Srivastava and Mr. Vishal Mann,
Advocates.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
13.08.2024

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1. On the last date of hearing, learned counsel for the appellant had taken time to obtain instructions.
2. Today, learned counsel for the appellant, on instructions, states that appellant is willing to accept the substituted security of the amount equivalent to proceeds of crime by way of a Fixed Deposit Receipt ("FDR") in the name of the Enforcement Directorate. He further prays that directions be issued to the learned Single Judge to dispose of the underlying writ



petition in a time bound manner.

3. Learned senior counsel for the respondent states that though an FDR in the name of the respondent bearing a lien of the Enforcement Directorate has already been furnished to the appellant, yet the respondent is willing to replace the said security with an FDR in the name of the Enforcement Directorate with an auto renewal clause.

4. In view of the aforesaid, this Court directs the respondent to replace the FDR already furnished by it to the appellant with an FDR in the name of the Enforcement Directorate with an auto renewal clause. For this purpose, the appellant shall return the FDR already furnished to the respondent within two working days and the respondent shall furnish the new FDR to the appellant within three working days thereafter.

5. This Court further directs the learned Single Judge to decide the underlying writ petition being W.P. (C) No. 11264/2021 as expeditiously as possible, preferably within three months.

6. Needless to state that the said FDR will be renewed till the disposal of the underlying writ petition and shall be subject to further orders to be passed by the learned Single Judge.

7. It is made clear that this Court has not made any observations on the merits of the writ petition.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

AUGUST 13, 2024/MR