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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MISC. APPEAL(PMLA) 28/2024**

SHRI RAJIV TYAGI

.....Appellant

Through: Mr. Manav Gupta, Ms.
Smakisha Jain and Mr. Ankit
Gupta, Advs.

versus

DIRECTORATE OF ENFORCEMENTRespondent

Through: None

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **08.10.2024**

CM APPL. 59367/2024(Exemption)

Allowed, subject to all just exceptions.

This application stands disposed of.

MISC. APPEAL(PMLA) 28/2024 & CM APPL. 59366/2024(Stay)

1. The appellant seeks to impugn the order dated 06 August 2024 passed by the Appellate Tribunal constituted under Section 12(1) of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 [**'Tribunal'**] as provided under Section 25 of the Prevention of Money Laundering Act, 2002 [**'Act'**]. The said order reads as follows:-

“The learned counsel for the appellant prays for adjournment to argue the appeal finally otherwise he had come prepared to pursue the application for substitution of the property attached by the respondent. We find that, that such application has been filed at the fag end of appeal which is mature for the final hearing and thus appeal was to be argued finally today. However, to accommodate the



counsel, let the appeal be listed on 24th October, 2024 for hearing.”

2. In our considered opinion and notwithstanding the provisional attachment order having been made on 08 December 2018, since the appeal itself was ready for being heard finally, the Tribunal rightly took the view that this would not be an appropriate stage to take up interlocutory applications. We also note that the appeal itself had been posted for final hearing on 24 October 2024.
3. In light of the above, we find no merit in the instant appeal. The same shall stand dismissed.

YASHWANT VARMA, J.

RAVINDER DUDEJA, J.

OCTOBER 08, 2024/RW