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

+ **W.P.(CRL) 3756/2024 & CrI.M.A.36069/2024**

M/S DYNAMIC SHELLS INDIA PVT LTDPetitioner

Through: **Mr. Ashok Kumar Goyal, Mr. Rishi Singhal and Ms. Prerena Goyal,**
Advocates

versus

ENFORCEMENT DIRECTORATERespondent

Through: **Mr. Zoheb Hossain, Spl Counsel for ED with Mr. Vivek Gurnani, Panel Counsel, Mr. Arkaj Kumar, Mr. Kanishk Maurya, Mr. Kartik Sabharwal, Mr. Rishabh Gupta, Mr. Arkaj Kumar, (Retainer Counsel and Mr Aakarsh Mishra, Advocates**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
02.12.2024

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1. Mr. Zoheb Hossain, learned special counsel for the respondent, who is appearing on advance notice, submits that the petitioner has not approached this Court with clean hands as he has concealed material facts in the present petition. He further submits that the petitioner has not disclosed that he has already filed IA No.3698/2020 before the learned NCLT titled as ***P.N.B. vs. Enforcement Directorate*** which is still pending before the learned NCLT and has prayed that on this ground, the instant petition may be dismissed.

2. At this juncture, the learned counsel for petitioner seeks leave to withdraw the instant petition with liberty to file the same afresh disclosing



therein all the material facts as pointed out by learned special counsel for the respondent.

3. Learned special counsel for the respondent has taken an objection to the liberty sought by the petitioner by submitting a relief cannot be prayed before the two forums, i.e. NCLT and this Court, at the same time.

4. Taking into consideration the aforesaid facts and the no objection of the learned special counsel for the respondent, the present petition is dismissed as withdrawn.

CHANDRA DHARI SINGH, J

DECEMBER 2, 2024

Rt/st

[Click here to check corrigendum, if any](#)