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

+ **W.P.(C) 16769/2024 & CM APPL. 70955/2024, CM APPL. 70956/2024**

ADVENTURE ISLAND LIMITED

.....Petitioner

Through: Mr. Siddharth Batra, Ms. Shivani Chawla, Mr. Chinmay Dubey, Mr. Rhythm Katyal and Mr. Rohit Gupta, Advocates.

versus

DIRECTORATE OF ENFORCEMENT AND ANR.Respondents

Through: Mr. Zoheb Hossain, Special Counsel for ED with Mr. Vivek Gurnani, Mr. Kartik Sabharwal, Mr. Pranjal Tripathi, Mr. Kanish Maurya, Mr. Yash Chavan and Mr. Kunal Kochar, Advocates for ED.

+ **W.P.(C) 16771/2024 & CM APPL. 70958/2024, CM APPL. 70959/2024**

ENTERTAINMENT CITY LIMITED

.....Petitioner

Through: Mr. Siddharth Batra, Ms. Shivani Chawla, Mr. Chinmay Dubey, Mr. Rhythm Katyal and Mr. Rohit Gupta, Advocates.

versus

DIRECTORATE OF ENFORCEMENT AND ANRRespondents

Through: Mr. Zoheb Hossain, Special Counsel for ED with Mr. Vivek Gurnani, Mr. Kartik Sabharwal, Mr. Pranjal Tripathi, Mr. Kanish Maurya, Mr. Yash Chavan and Mr. Kunal Kochar,



Advocates for ED.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA
ORDER
04.12.2024

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1. The present petitions impugn the Provisional Attachment Order dated 28th May, 2024 passed by Respondent No. 1 and the Confirmation Order dated 1st November, 2024 passed by Respondent No. 2. Petitioners have raised several grounds for challenging the said orders. However, none of those grounds urged are such that cannot be urged before the Appellate Tribunal under Section 26 of Prevention of Money Laundering Act, 2002.¹
2. On the issue of maintainability, counsel for Petitioners relies on the decision in *Revati Cements Private Limited and Another v. Union of India and Others*,² to argue that the Appellate Tribunal under Section 26 of the Act does not have any specific power to substitute or release the attached property with alternative assets, however, on a specific query of the Court as to whether the Petitioners have set out in the pleadings offering to substitute the attached property, counsel for Petitioners candidly states that there is no such pleadings to this effect.
3. In light of the foregoing, in the opinion of the Court, the Court is not inclined to entertain the instant petition as there is an alternative statutory remedy available against the impugned orders. All the grounds urged in the present petitions can be raised before the Appellate Tribunal. Accordingly, without going into the merits of the case, the present petitions are disposed

¹ "the Act"



of with liberty to Petitioners to take recourse to the appellate remedy under Section 26 of the Act.

4. Counsel for Petitioners states that they shall file the appeal within the statutory period prescribed. In the event such an appeal is filed, the Appellate Tribunal is requested to consider and decide the appeal, as expeditiously as possible, preferably within four months from today. In case Petitioners do not succeed in appeal proceedings, they shall be at liberty to take recourse to further remedies, in accordance with law.

5. With the above directions, the present petitions, along with pending applications, are disposed of.

SANJEEV NARULA, J

DECEMBER 4, 2024

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