

D/L 21,23-24
14.07.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 19383 of 2024

Arati Dam & Anr.
Vs.
Union of India & Ors.

Mr. Jayanta Samanta
Ms. Karunamoyee Samanta
Mr. Rajdeep Adhikari
...for the Petitioners.

Mr. Arijit Chakraborti
Mr. Debsoumya Basak
...for the ED.

With
WPA 19522 of 2024

Ganesh Dam
Vs.
Union of India & Ors.

Mr. Jayanta Samanta
Ms. Karunamoyee Samanta
Mr. Rajdeep Adhikari
...for the Petitioner.

Mr. Arijit Chakraborti
Mr. Debsoumya Basak
...for the ED.

With
WPA 19531 of 2024

Sun Heaven Agro India Ltd. & Anr.
Vs.
Union of India & Ors.

Mr. Jayanta Samanta
Ms. Karunamoyee Samanta
Mr. Rajdeep Adhikari
...for the Petitioner.

Mr. Arijit Chakraborti
Mr. Debsoumya Basak
...for the ED.

Ms. Akansha Yadav
...For the SEBI.

Mr. Kumaresh Dalal
...for the Union of India.

1. Affidavits of service in connection with all the three writ petitions filed in Court today are taken on record.
2. The aforesaid writ petitions arise out of proceeding initiated under the PMLA Act, 2002.
3. It appears that interim order was passed for attachment of certain properties which subsequently stood confirmed. The issue is currently pending before the Special Court taking up these matters.
4. According to the petitioners, the properties of the Directors ought not to have been attached because the Company had already repaid the entire loan amount.
5. According to ED, all the subject properties are result of the proceeds of crime.
6. Upon hearing the parties, it appears that, it will not be proper for the Writ Court either to entertain or adjudicate the issue which is currently pending consideration before the competent forum.
7. In view of the above the writ petitions are disposed of by observing that it will be open for the petitioners to approach the competent forum and agitate all the issues therein for relief, if so advised.
8. Since the writ petitions are disposed of without calling for any affidavits, the allegations made therein are deemed not to have been admitted by the respondents.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)