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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 1324 OF 2025

Ara Properties & Ors.

.. Appellants

Versus

The Deputy Director, Directorate of
Enforcement, Mumbai

.. Respondent

Vineet Naik, Senior Counsel, Adv. Amod Ekhaspur a/w. Adv. Abinash Pradhan, Adv. Garima Agrawal & Adv. Yash Dedhia i/b. Wadia Ghandy & Co. for the Appellants.

Adv. Manisha Jagtap for the Respondent.

Mr. Amit Kumar, Assistant Director, ED Zone-2, present in Court.

**CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE: AUGUST 1, 2025

P. C.

1. The Appellant has filed the captioned Appeal challenging the Order dated 25.07.2024 passed by the Ld. Appellate Tribunal, constituted under the provisions of Prevention of Money Laundering Act, 2002, wherein the Ld. Appellate Tribunal has rejected the Miscellaneous Application No. 12808/MUM/2023 filed by the Appellant seeking release of the subject Property from the attachment.

2. Mr. Vineet Naik, Learned Senior Counsel appearing for the Appellant informed us that the Hon'ble Special PMLA Court, Greater Mumbai has passed orders dated 16th December 2022 and 12th April 2023 discharging the Appellant and all the other Accused from the offences of money laundering as were alleged by the Respondent in the Complaint filed by them in August 2022 under Sections 44 and 45 of the Prevention of Money Laundering Act, 2002.

3. The Learned Senior Counsel further submitted that, in light of the discharge orders dated 16th December 2022 and 12th April 2023, the Learned Appellate Tribunal, by a separate order dated 25th July 2024, set aside the order dated 24th May 2022 passed by the Learned Adjudicating Authority, whereby the Provisional Attachment Order dated 7th August 2021 issued by the Respondent attaching the subject Property was confirmed. The Learned Senior Counsel further submitted the natural corollary of setting aside the Confirmation Order would be to release the subject Property from attachment, which the Ld. Appellate Tribunal has failed to do and proceeded to pass the Impugned Order.

4. In the backdrop of the aforementioned circumstances, the captioned Appeal came to be filed.

5. The Learned Senior Counsel submits that subsequent to the filing of the Appeal there has been some recent development.

6. Learned Senior Counsel tenders a letter dated 12th June 2025, addressed by the Respondent to the Inspector General of Registration and Controller of Stamps, with a copy marked to the Chairman of the Society occupying the subject Property, which records the following:

"Please refer to Provisional Attachment order No.02/2021 dated 07/08/2021 vide which the property "Plot No 2, Yashwant Ghadge Nagar Cooperative Housing Society, Range Hill Comer, Ganeshkhind Road, Pune, MH, 411007" was provisionally attached.

In the above regard, Spl. PMLA Court, Mumbai vide its order dated 06.12.2022 & 12.04.2023, discharged all the accused and the appellate tribunal also set aside the attachment order. This order has been accepted.

Therefore, it is requested that above property may be released from attachment in PAO No-02/2021 dt 07.08.2021.

This is issues with the approval of JDE, MBZO-II."

7. The Counsel appearing for the Respondent accepts the authenticity of the aforementioned letter dated 12th June 2025 and upon receiving instructions from the concerned officer of the Respondent who is present in the court, makes a statement that the attachment on subject Property has already been released by the Respondent. The statement is

accepted and the said letter dated 12/6/2025 is taken on record & marked 'X' for identification.

8. Accordingly, in view of the aforementioned letter dated 12th June 2025, and the statement made by the Counsel appearing for the Respondent, now nothing survives in the above First Appeal and it is accordingly disposed of.

9. No costs.

10. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]