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

+ W.P.(C) 1554/2025 and CM APPL.7634/2025

MS DEEPALI KATYAL

.....Petitioner

Through: Ms. Shyel Trehan, Sr. Adv., Ms.
Chankdrika Gupta and Ms. Vidhi,
Advs.

versus

UNION OF INDIA THROUGH

SECERATARY MINISTRY OF FINANCE & ANR.Respondents

Through: Mr. Amit Tiwari, CGSC, Ms. Ayushi
Srivastava and Mr. Ayush Tanwar,
Advs. for R-1/UOI.

Mr. Zoheb Hossain, Spl. Counsel, Mr.
Vivek Gurnani, SC, Mr. Kartik
Sabharwal, Mr. Pranjal Tripathi and
Mr. Kanishk Maurya, Advs. for ED.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **20.02.2025**

1. The present petition has been filed by the petitioner assailing the Provisional Attachment Order (PAO) No.06/2024 dated 06.08.2024 in ECIR/GNZO/04/2023/7859, the Provisional Attachment Order dated 15.01.2025 in ECIR/GNZO/04/2023 passed by the Deputy Director, Directorate of Enforcement (respondent no.2) as well as the consequent order dated 29.01.2025 passed by the Adjudicating Authority, whereby the Adjudicating Authority has confirmed the Provisional Attachment Order dated 06.08.2024.

2. It is contended by learned senior counsel for the petitioner that the impugned order dated 29.01.2025 passed by the Adjudicating Authority suffers from lack of jurisdiction as well as various other errors apparent on the face of



the record. It is further contended that the impugned order passed by the Adjudicating Authority also suffers from *coram non-judice* inasmuch as the order has been passed by a single member bench in the absence of a Chairperson. It is pointed out that the Supreme Court is currently seized of, and is examining this aspect, which impinges upon the validity of the said order passed by the Adjudicating Authority.

3. It is further contended that the properties, which are subject matter of the provisional attachment orders, were received by the petitioner as part of permanent alimony / maintenance under the divorce decree dated 27.05.2016 and are therefore, immune from attachment by virtue of Section 14 of the Hindu Succession Act, 1956.

4. Admittedly, the order passed by the Adjudicating Authority is appealable before the Appellate Tribunal under Section 26 of Prevention of Money Laundering Act, 2002 (PMLA).

5. Considering the aforesaid, this Court is not inclined to entertain the present petition. The petitioner would be at liberty to pursue the statutorily prescribed appellate remedy under the Prevention of Money Laundering Act, 2002. Needless to say, the Appellate Tribunal would consider the aforesaid submissions, and any other plea that may be raised by the petitioner in support of its appeal. The petitioner shall also be at liberty seek appropriate interim relief before the Appellate Tribunal, in accordance with law.

6. The present petition is disposed of in the above terms.

SACHIN DATTA, J

FEBRUARY 20, 2025/cl