

15.06.2026
Court No.25
D/L No.12
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 12453 of 2026
Kishori Lal Jaiswal
Versus
Union of India & Ors.

Mr. Prantik Garai
Ms. Sweta Mukherjee
Ms. Sakshi Bagaria
Ms. Sarmista Dutta

...for the Petitioner

Mr. Arijit Chakraborty
Mr. Debsoumya Basak
Ms. Swati K. Singh

...for the Enforcement Directorate

Mr. Dibashis Basu
Ms. Jayita Dhar Chakraborty
Mr. Arun bandyopadhyay

...for the Union of India

1. The petitioner has filed the present writ application praying for a direction upon the Enforcement Directorate (ED) Authorities either to examine the petitioner through virtual mode or at Kolkata Branch Office.
2. Learned counsel for the petitioner submits that on May 26, 2026 the ED has issued the notice under Section 50(2)(3) of the PMLA Act directing the petitioner to appear before the ED Authorities on June 2, 2026 at 10 am to give evidence in connection with the investigation and the proceeding under the PMLA Act. The learned counsel for the petitioner submits that the notice issued by the authorities received by the petitioner on June 2, 2026 at 16:53 hours and immediately the petitioner has informed the ED

Authorities that the petitioner has received the notice only on June 2, 2026 at 16:53 hours, due to which he could not appear before the authorities. It is the further case of the petitioner that the petitioner is 76 years of age and suffering from various ailments and was admitted in the hospital from time to time and thus, is not in a position to appear before the ED Authorities in-person at Jalandhar.

3. On June 10, 2026 the ED Authorities has again fixed the examination of the petitioner but the petitioner could not appear before the authorities as he was admitted in the hospital. Again he made a request before the authorities to appear either through virtual mode or at the Kolkata Zonal Office. Learned counsel for the petitioner submits that the petitioner is ready and willing to cooperate with the investigating agency either through video conference or they can examine the petitioner at Kolkata Zonal Office. Learned counsel for the petitioner has brought to the notice of this Court to the notice dated May 26, 2026 wherein the authorities have directed the petitioner to submit the self-attested copies of PAN Card, Aadhaar Card and Passport; details of all bank accounts; details of all the immovable properties and details of mobile number. The learned counsel for the petitioner submits that the petitioner is ready to submit all the documents to the authorities through email and if the petitioner will be examined at Kolkata Office, he will appear and submit all the documents physically but he is not in a position

to go at Jalandhar due to his old age and several health elements.

4. Learned counsel for the petitioner relied upon the unreported order passed by this Court in the case of ***Menaka Gambhir vs. Union of India & Ors.*** in ***WPA 19748 of 2022*** wherein the Coordinate Bench of this Court has allowed the ED to question the petitioner at the Zonal Office at Kolkata. He prays for the similar order in the present writ application.
5. Learned counsel for the ED raised objection and submits that there is no cause of action in the present writ application. He submits that first a notice was issued on May 26, 2026 with a direction to the petitioner to appear before the authorities on June 2, 2026 and subsequently the date was fixed on June 10, 2026 but the petitioner has not appeared before the authorities and thus, no order can be passed in the present writ application.
6. Learned counsel for the ED on instruction submits that the matter relating to several documents and if this Court allows the authorities to examine the petitioner at Kolkata Zonal Office, the ED authorities have to bring the voluminous documents to the Kolkata which is not possible for the authorities to bring all the documents for one person at Kolkata because the investigation is going on at Jalandhar. He further submits that if the petitioner is not able to appear in-person, at this stage, the petitioner can

appear through his authorized representative with all the documents and the representative should know all the facts so that the authorized representative shall provide all information. He further submits that if the authorized representative is present before the ED Authorities and is not able to give the answer to the authorities, then the petitioner has to appear before the authorities for recording his statement.

7. Heard the learned counsel for the respective parties and perused the materials on record.
8. The ED has issued the notice to the petitioner on May 26, 2026 by directing the petitioner to appear before the ED at Jalandhar on June 2, 2026 but the petitioner has received the said notice only on June 2, 2026 at 16:53 pm, due to which, he could not appear before the authorities but the petitioner has responded to that notice by an email. After receiving the email, the authorities have fixed the another date on June 10, 2026 but on the said date also the petitioner has not appeared before the authorities on the ground that the petitioner was admitted in the hospital. The petitioner has disclosed several medical documents to show that the petitioner is 76 years of age and suffering various elements and was admitted in the hospital from time to time.
9. Considering the above, the petitioner is directed to give an authorization to his representative to appear before the ED Authorities at Jalandhar along with all

documents as required by the authorities and the ED is directed to allow the representative of the petitioner to appear on behalf of the petitioner. If the ED Authorities find that the representative of the petitioner is not in a position to give proper answer which the ED authorities are required for the investigation, then the ED Authorities shall give minimum 15 days of time to the petitioner to appear before the ED Authorities at Jalandhar and if any notice is received by the petitioner, the petitioner shall appear before the ED Authorities as per summon.

10. Accordingly, **WPA 12453 of 2026** stands **disposed of**.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
12. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)