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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO No.3141 of 2022

GOVIND AGARWAL
VS
UNION OF INDIA & ORS.

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date: October 9, 2026.

Appearance:
Ms. Sutapa Roychowdhury, Sr. Adv.
Mr. A. K. Upadhyay, Adv.
Ms. Aratrika Roy, Adv.
...for the Petitioner.

Mr. Manmeet Singh Arora, Adv. (V.C.)
Mr. Prithu Dudhoria, Adv.
…for the Respondent.

The Court:-The petitioner was served a show cause notice under Section 24(1) of the Prohibition of Benami Property Transactions Act, 1988 dated October 21, 2022 issued by the respondent no.3. A provisional attachment order was also served upon the petitioner by the said respondent.

In this writ petition, the petitioner has challenged the said show cause notice as well as the said order of provisional attachment.

At the time of submission, however, Ms. Sutapa Roychowdhury learned senior Advocate submits that during pendency of this writ petition Mr. Neeraj Singh, the alleged beneficiary passed away.

It is further submitted that the criminal proceeding initiated by Anti Fraud Section, Detective Department, Kolkata Police against the said Neeraj

Singh, since deceased and the petitioner in this case has been dropped since the prosecution has filed FRT in that case.

It is submitted by the petitioner before the Court that the petitioner is now willing to respond to the show cause notice dated October 21, 2022 stating all the subsequent events.

In that view of the matter, this Court does not find it necessary to keep this writ petition pending.

The petitioner is at liberty to respond to the show cause notice dated October 21, 2022 within a period six weeks from date.

Upon consideration of the reply of the petitioner, the respondent no.3 shall pass a reasoned order in accordance with law.

It is made clear that the respondent no.3 will be at liberty to conclude the proceedings within a period of 90 days from the date of passing of this order regardless of the limitation period as provided in Section 24 of the Act of 1988.

It appears that the operation of the said show cause notice dated October 21, 2022 and the provisional order of attachment shall remain stayed during the pendency of the proceedings before the Authority.

Needless to mention that this Court has not gone into merit of this case. The respondent no.3 will be at liberty to decide the case of the petitioner without being influenced by any observation made in this order.

It is further clarified that until the order is passed by the respondent no.3, no coercive steps shall be taken by the petitioner.

Writ Petition being WPO No.3141 of 2022 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties in compliance of all legal formalities.

(KAUSIK CHANDA, J.)

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