



116 CWP-35823-2025 (O&M) -1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-35823-2025 (O&M)
Date of decision:19.02.2026

Ashok Kumar Mittal and othersPetitioners.

Versus

Directorate of Enforcement and othersRespondents.

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY, JUDGE

Present:- Mr. Vasu Kukreja, Advocate (arguing counsel) and
Mr. Kartik Khicher, Advocate,
for the petitioners.

Mr. Satya Pal Jain, Addl. Solicitor General of India
(arguing counsel) with Ms. Meghna Malik,
Senior Panel Counsel for respondent-ED.

Mr. Neeraj Gupta, Addl. Advocate General, Haryana.

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SHEEL NAGU, CHIEF JUSTICE (Oral)

1. Learned counsel for respondent/ED does not dispute the contents of paragraph 6.3 of the order dated 02.01.2024, (Annexure P-12) which, for ready reference and convenience, is reproduced below: -

'6.3 Therefore, in partial modification of the confirmation of attachment order dated 31 August, 2021, the properties of the home buyers mentioned in Annexure 1 (Consisting of one page i.e. page no 12), Annexure 2(Consisting of 2 pages i.e. page no. 13 & 14) and Annexure 3 (Consisting of 36 pages ie. page no. 15&50) (enclosed with this order) is directed to be released from attachment in view of Hon'ble High Court of Punjab and Haryana at Chandigarh orders dated 04.10.2023 and

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18.10.2023 and also in view of Hon'ble Supreme Court Order dated 07.03.2022 & 01.04.2022 as mentioned supra.'

2. Learned counsel for the petitioners contends that, after due consideration and taking into account the order dated 04.10.2023 and 18.10.2023 of this Court passed in CWP-22178-2023 and CWP-21478-2022, respectively as well as the orders passed by the Apex Court on 07.03.2022 and 01.04.2022 in Writ Petition (Civil) No. 1243 of 2019, '*Gulshan Arora vs. M/s SRS Real Estate Limited and ors*', the properties of home buyers mentioned in Annexures 1, 2 and 3, as referred to in *paragraph No. 6.3* of the order passed by the adjudicating authority, have not been physically released despite there being an order of their release.

3. Learned counsel for respondent/ED, however, submits that since the complaints have been filed on 29.08.2022 before the Special Court, Gururgram, where the cognizance has been taken on 31.10.2022 and charges framed on 03.11.2025, therefore, the respondent/ED had moved an application, i.e. CRM-755-2025 in COMA-14-2022, titled '*Directorate of Enforcement Vs. Anil Jindal & ors*' pending before the learned Special Court, Gurugram, for release of these properties, which belongs to the petitioners/home buyers. The said application is still pending consideration before the Special Court, Gugugram.

4. In view of the fact that the adjudicating authority has already taken a decision to release the properties of the petitioners/home buyers, as mentioned above, it would be appropriate



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for the Special Court, Gurugram, to take a call latest by 21.02.2026 and release the said properties in favour of the petitioners/home buyers without compelling them to approach the Special Court, Gurugram, separately.

5. With the aforesaid observation, this petition stands disposed of. However, learned counsel for the petitioners is at liberty to approach the concerned Tehsildar for taking appropriate steps in regard to execution of the sale deed or the conveyance deed in accordance with law.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

19.02.2026
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No