



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-23916-2025

Date of Decision : 26.08.2025

Major Dr. Gulshan Sharma

.....Petitioner

Versus

Enforcement Directorate and others

.....Respondents

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

Present: Mr. Sunil Chadha, Senior Advocate (arguing counsel), with
Ms. Ritu Punj, Advocate,
Mr. Rajesh Punj, Advocate,
Mr. Sahaj Punj, Advocate,
Mr. Raghav Chadha, Advocate, and
Ms. Arashdeep Kaur, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India
(arguing counsel), with
Mr. Akash Vashisth, Central Govt. Counsel, UOI,
for respondent – Enforcement Directorate.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present petition has been filed essentially aggrieved by the fact that eviction notice dated 08.08.2025 (Annexure P-21) issued by Deputy Director, Directorate of Enforcement (respondent No.3) was pasted on 11.08.2025 at 5 PM, asking the petitioner to vacate the premises, which was subject matter of money laundering, within a period of ten days.



2. The contention of Shri Sunil Chadha, learned senior counsel, appearing on behalf of the petitioner, is that since 45 days period is provided under Section 26 of the Prevention of Money Laundering Act, 2002 (in short, 'PMLA'), to approach the Appellate Tribunal by aggrieved person, the said right of filing an appeal within a period of 45 days is being curtailed by the impugned eviction notice.

3. Shri Satya Pal Jain, learned Additional Solicitor General of India, appearing on behalf of respondent – Enforcement Directorate, informs that provisional attachment order dated 11.03.2025 (Annexure P-17) was confirmed by the Adjudicating Authority vide order dated 05.08.2025 (Annexure P-20), where-after the petitioner is free to file an appeal before the Appellate Tribunal under Section 26 of the PMLA.

4. Considering the fact that alternative remedy of filing statutory appeal to assail the order passed by the Adjudicating Authority is available to the petitioner, only to protect him till he avails the remedy of statutory appeal, this Court directs that if the petitioner files an appeal before the Appellate Tribunal under Section 26 of the PMLA within a period of ten days, then the same shall be considered by the Tribunal on its own merits, and till the filing appeal, no coercive steps shall be taken against the petitioner pursuant to eviction notice dated 08.08.2025 (Annexure P-21).

4.1 It is made clear that if the statutory appeal is filed within ten days, then this order shall not prejudice the mind of the Appellate Tribunal while deciding the question of interim relief, if admissible to the petitioner. We further make it clear that the Appellate Tribunal shall decide the request for interim relief either way, essentially on merits of the matter, without being



influenced by the fact of petitioner having approached this Court or this Court having passed the present order.

5. With the aforesaid liberty, the petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

August 26, 2025
narotam

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No