



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

CWP-770-2025

Date of decision : 15.01.2025

Lok Hit Nature Way Welfare Society, Barnala

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUDHIR SINGH

Present: Mr. Hemen Aggarwal, Advocate,
for the petitioner.

Mr. Anurag Chopra, Addl. Advocate General, Punjab.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Ms. Meghna Malik, Advocate, and
Mr. Arvind Moudgil, Senior Standing Counsel, Govt. of India,
(through video conferencing), with
Ms. Isha Bhukal, Advocate,
for respondent No.3 – Directorate of Enforcement.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner, which is a Welfare Society, prays for the following reliefs :-

- (i) *Issue a writ in the nature of mandamus or any other appropriate writ, order or direction to constitute a Management Committee/Judicial Board consisting of Legal Luminaries/Senior IAS Officers who shall proceed to settle/manage the litigation proceedings pending before the various Tribunals/Authorities vis-à-vis claim of the investors/customers against the respondent No.5, thereby providing a resolution*



framework/plan with effective mechanism, for resolving the disputes of the innocent buyers/investors who are running from pillar to post since years and as such their grievances can be redressed at a single platform, which shall also save precious time and efforts of the various judicial courts in the interest of justice; and

- (ii) *It is further prayed that direction may kindly be issued to defreeze some assets of the respondent No.5 or other properties of Nature Way Group attached by the respondent No.3 to the extent of the claim of the petitioner Association, keeping in view the affidavit annexed by the respondent No.5 (Annexure P-6) whereby he assured the association to develop the pending projects and similarly hand it over to the aggrieved investors/Homebuyers as per their respective agreements, since the properties attached by respondent No.3 are valued multiple times than the liability of the respondent no.5 which stands to the tune of Rs. 51,11,00,0000/- as per the attachment order dated 16.06.2020 (Annexure P-5) because the investors/homebuyers are under the apprehension that the properties of the respondent No.5 can be mismanaged by respondent authorities, which would jeopardize the interest of the association and would be a travesty of justice.*

2. The petitioner Society is of prospective land/flat owners, who have invested money for obtaining flats/plots being constructed by respondents No.4 and 5.

3. Against respondents No.4 and 5, proceedings under the Prevention of Money Laundering Act, 2002 (in short, 'the Act') were initiated,



which matured into filing of a complaint before the Special Judge, where adducing of evidence is going on.

4. Learned counsel for the Directorate of Enforcement, Mr. Jain, while referring to Section 8 (8) of the Act, submits that the relief that is being sought before this Court can very well be sought by filing an appropriate application before the learned Special Judge.

5. In view of the fact that matter is pending adjudication before the learned Special Judge, this Court refrains to enter into merits of the case and relegates the petitioner Society to avail the aforesaid remedy before the learned Special Judge by filing an appropriate application.

6. With the aforesaid liberty, petition stands disposed of, without commenting upon merits of the matter.

(SHEEL NAGU)
CHIEF JUSTICE

(SUDHIR SINGH)
JUDGE

January 15, 2025

narotam

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