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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10166/2021 & CM APPL. 31354/2021
PRIME ISPAT LIMITED & ORS. Petitioner
Through Mr.Abhimanyu Bhandari with
Mr.Abhishek Singh, Mr.Somesh Tiwari,
Ms.Vidula Mehrotra, Adv.

versus

UNION OF INDIA & ORS. Respondent
Through Mr.Amit Mahajan, CGSC with
Mr.Imon Bhattacharya, Adv.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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14.09.2021

CM APPL. 31355/2021 & CM APPL. 31356/2021

1. Exemption allowed, subject to all just exceptions.
2. The notarized affidavit be filed within one week.
3. The applications stand disposed of.

W.P.(C) 10166/2021 & CM APPL. 31354/2021 (stay)

4. Vide the present petition, the petitioners seek to assail the provisional attachment order(PAO) dated 27.11.2020 passed by the respondent no.2 under Section 5(1) of the PMLA. The petitioners also assail the consequential proceedings arising from the said PAO.
5. Learned counsel for the petitioners submits that a PAO issued by the respondent no.2 on 04.04.2017 in respect of the same allegation was not approved by the adjudicating authority vide its orders passed on

14.05.2018 and 27.06.2018 by categorically recording that no case of money laundering was made out against the petitioners. He submits that although the respondents have assailed the said orders passed by the adjudicating authority by way of an appeal, which is pending before the Appellate Tribunal-PMLA and the parties have been directed to maintain status quo vide an order passed on 13.11.2019, the respondents could not have issued the impugned PAO or initiated any further proceedings against the petitioner at this stage.

6. Issue notice. Learned counsel for the respondents accepts notice. While urging that the present petition is not maintainable, he prays for, and is granted, four weeks' time to file counter affidavit. Rejoinder thereto, if any, be filed within four weeks thereafter.
7. List along with W.P(C)8421/2021 on 07.01.2022.
8. Till the next date, the adjudicating authority will not proceed with the matter and will therefore fix a date after the next date of hearing before this Court.

REKHA PALLI, J

SEPTEMBER 14, 2021

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