



2026:KER:24833

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MR. JUSTICE P. KRISHNA KUMAR

THURSDAY, THE 19TH DAY OF MARCH 2026 / 28TH PHALGUNA, 1947

WA NO. 3142 OF 2025

AGAINST THE ORDER DATED 16.12.2025 IN WP(C) NO.46555 OF 2025

OF HIGH COURT OF KERALA

APPELLANTS/RESPONDENTS 1 & 2:

- 1 THE DIRECTOR,
DIRECTORATE OF ENFORCEMENT, KOCHI ZONAL OFFICE, KANOOS
CASTLE, A.K. SESHADRI ROAD, KOCHI, PIN - 682011.
- 2 THE ASSISTANT DIRECTOR,
DIRECTORATE OF ENFORCEMENT, KOCHI ZONAL OFFICE, KANOOS
CASTLE, A.K. SESHADRI ROAD, KOCHI, PIN - 682011.
- 3 THE SPECIAL DIRECTOR OF ENFORCEMENT DIRECTORATE
(ADJUDICATION), DIRECTORATE OF ENFORCEMENT, PRAVARTAN
BHAWAN, DR. APJ ABDUL KALAM ROAD, NEW DELHI,
PIN-110011.

[APPELLANT 3 TRANSPOSED AS R2]

BY ADV SHRI.JAISHANKAR V.NAIR, SC, ENFORCEMENT
DIRECTORATE

RESPONDENTS/PETITIONER/3RD RESPONDENT:

- 1 KERALA INFRASTRUCTURE INVESTMENT FUND BOARD,
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,
SECOND FLOOR, FELICITY SQUARE, MG ROAD, STATUE,
THIRUVANANTHAPURAM, PIN - 695001



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2 THE SPECIAL DIRECTOR OF ENFORCEMENT DIRECTORATE
(ADJUDICATION) ,
DIRECTORATE OF ENFORCEMENT, PRAVARTAN BHAWAN, DR. APJ
ABDUL KALAM ROAD, NEW DELHI, PIN-110011.

[THE 3RD APPELLANT IS TRANSPOSED AS THE 2ND RESPONDENT
AS PER ORDER DATED 29/01/2026 IN IA 1/2026 IN WA
3142/2025]

BY ADVS.
GOVERNMENT PLEADER
SMT.ALKA WARRIAR, CGC
SHRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL
SHRI.V.MANU, SPL.G.P. TO A.G.

THIS WRIT APPEAL HAVING COME UP FOR HEARING ON 19.03.2026,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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**SATHISH NINAN &
P. KRISHNA KUMAR, JJ.**

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W.A. No.3142 of 2025

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Dated this the 19th day of March, 2026

J U D G M E N T

Sathish Ninan, J.

This appeal is filed against an interim order of stay granted by the learned single Judge on 16.12.2025, for a period of three months. The said period expired. Therefore, the challenge against the said interim order does not survive.

2. Concern was expressed to the parties as to whether it would be proper to hear the challenge against the impugned order when it has worked itself out. It was suggested to the parties that leaving open the contentions of the parties, the Writ Appeal can be disposed of as infructuous. Both sides were not averse to such course.



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3. The learned counsel on both sides brought to the notice of this Court that, pending the writ appeal the learned single Judge had extended the interim order of stay that is impugned in this appeal. We do notice that in the writ appeal, as per order dated 19.12.2025, the effect and operation of the impugned interim order dated 16.12.2025 was stayed till 05.01.2026 and was being extended thereafter. It was when the order of stay of operation was in force, that the interim order happened to be extended in the writ petition. Concededly, it could have been only an oversight that occurred consequent on the failure of the parties to bring the same to the notice of the learned single judge. The parties are to bring it to the notice of the learned single Judge when the matter is taken up for consideration.

4. Accordingly, without expressing anything on the merits, and leaving open all the contentions of both sides, the writ appeal is disposed of as infructuous.



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5. In view of the urgency raised by the parties, we request the learned single Judge to list the WP(C) No.46555/2025 on 27.03.2026. Registry to take steps accordingly. The learned Advocate General expressed a concern that proceedings pursuant to the notice challenged in the writ petition would be precipitated in the meantime. The learned ASG assisted by the learned CGC assured that it shall not happen.

Sd/-
SATHISH NINAN
JUDGE

Sd/-
P. KRISHNA KUMAR
JUDGE

kns/-

//True Copy//

P.S. To Judge