



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

117

CWP-8099-2026

Date of Decision:- 07.04.2026

SARV REALTORS PRIVATE LIMITED

...Petitioner(s)

Versus

DIRECTORATE OF ENFORCEMENT

...Respondent(s)

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

Present: Mr. Viren Sibal, Advocate (arguing counsel)
Ms. Tisha Kalra, Advocate for the petitioner.

Mr. Lokesh Narang, Sr. Panel counsel (arguing counsel)
Ms. Lehar Saraf, Advocate for respondent-E.D.

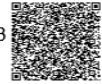
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SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner has filed the present petition under Articles 226/227 of the Constitution of India, praying for the following reliefs:

“I. Issue a writ in the nature of Mandamus or any other appropriate writ, order or direction quashing and setting aside the wrongful endorsement/encumbrance recorded in respect of Property bearing No. Khewat no. 1939, khata no. 1993, rect. No. 152, killa no. 11 (8-0), more fully described in the present writ petition, which has been mechanically reflected in the revenue records by the Sub-Tehsildar at the instance of Respondent No. 1, despite there being no Provisional Attachment Order lawfully and specifically applicable to the said property; and consequently direct the Respondents to forthwith remove the said endorsement/entry and restore the revenue record to its original position reflecting the Petitioner as the lawful owner in peaceful possession thereof.

II. Declare that the impugned action of recording attachment/endorsement against Property No. Khewat no. 1939, khata no. 1993, rect. No. 152, killa no. 11 (8-0), in the absence of any valid and subsisting Provisional Attachment Order covering the said property, is without



jurisdiction, arbitrary and non-est in law, and further declare that such action amounts to unlawful deprivation of property in violation of Articles 14 and 300-A of the Constitution of India.

III. Issue a writ, order or direction restraining the Respondents, their officers, agents and subordinate revenue authorities from in any manner interfering with the Petitioner's peaceful possession, enjoyment, development and lawful commercial utilisation of Property No. Khewat no. 1939, khata no. 1993, rect. No. 152, killa no. 11 (8-0), on the basis of the impugned wrongful endorsement or any alleged attachment not supported by a specific and valid order under Section 5(1) of the Prevention of Money Laundering Act, 2002.

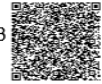
IV. Declare that the of mechanical recording attachment/encumbrance in respect of Property No. Khewat no. 1939, khata no. 1993, rect. No. 152, killa no. Petitioner's 11 (8-0), without notice to the Petitioner and without any jurisdictional foundation, violates the constitutional rights under Articles 14, 19(1)(g), 21 and 300-A, and is liable to be struck down as arbitrary, disproportionate and contrary to settled principles governing exercise of statutory power.

V. Award exemplary costs of the present proceedings in favour of the Petitioner and against the Respondents, as the Petitioner has been compelled to invoke the extraordinary writ jurisdiction of this Hon'ble Court on account of the wrongful and clerical endorsement made in respect of Property No. Khewat no. 1939, khata no. 1993, rect. No. 152, killa no. 11 (8-0) without any lawful Provisional Attachment Order, and grant such further compensation or consequential reliefs as this Hon'ble Court may deem fit in the interest of justice.

VI. Pass any other or further writ, order or direction as this Hon'ble Court may deem fit in the facts and circumstances of the present case and in the interest of justice.

VII. xx xx xx”

2. It is not disputed that the petitioner was not an accused in ECIR/GNZO/08/2025 and ECIR No.ECIR/GNZO/20/2021, which was subjected to provisional attachment vide order dated 26.03.2025, and was subsequently confirmed by the Adjudicating Authority vide order dated 09.09.2025.



3. The contention of the petitioner is that despite not being an accused, his property has been attached and confiscated by the Adjudicating Authority vide order dated 09.09.2025.

3.1. He further submits that even the details of the property were not mentioned in the confirmation order passed on 09.09.2025 and the property of the petitioner has been attached based on a letter issued by the Assistant Director of E.D. dated 10.07.2025 to the Tehsildar, Badshahpur, Gurugram (Annexure P-9).

4. Learned counsel for the E.D. does not dispute that the property of the petitioner has been wrongly attached, but contends that the petitioner has an alternative remedy of approaching the Appellate Forum u/s 26 of the Prevention of Money Laundering Act, 2002, where the contentions of the petitioner can be thrashed out.

4.1 Learned counsel for the E.D. further submits that if an appeal is filed before the Appellate forum, the E.D. is ready and willing to place the correct factual position on record by filing an appropriate response.

5. In view of above and considering the fact that the matter of this nature, where some amount of disputed questions of facts are involved, as regards the possession and title of the property, it would be safer that it is left for the Appellate Forum to adjudicate upon the same.

6. Accordingly, the petitioner is free to approach the Appellate Forum by filing an appropriate appeal u/s 26 of the Prevention of Money Laundering Act, 2002.

7. The petitioner, being a person who is aggrieved by the confirmation order passed on 09.09.2025, squarely falls under the expression



“*person aggrieved*” found u/s 26(1) of Prevention of Money Laundering Act, 2002 and therefore can very well file an appeal.

8. If the petitioner files an appeal within a period of 30 days from today, the same shall be considered and decided on its own merits by the Appellate Forum, without being dismissed on limitation alone.

9. With aforesaid liberty, petition stands disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

07.04.2026

S.Sharma

i)	<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
ii)	<i>Whether reportable?</i>	<i>Yes/No</i>