

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 666 of 2020

IN THE MATTER OF:

**Raj Kumar Ralhan, RP of
M/s. Leo Meridian Infrastructure Projects
& Hotels Ltd.**

... Appellant

Versus

**Deputy Director,
Directorate of Enforcement & Ors.**

...Respondents

Present:

For Appellant :

**Mr. Ramji Srinivasan, Senior Advocate with
Ms. Misha, Mr. Vaijayant Paliwal, Ms. Prabh Simran
and Mr. Rishub Kapoor and Ms. Jasveen Kaur,
Advocates**

**ORDER
(Through Virtual Mode)**

05.08.2020 The issue raised in this appeal is that Section 32A of the 'I&B Code, 2016' applies to the provisional attachment order passed by the Directorate of Enforcement. It is submitted by Mr. Ramji Srinivasan, learned Senior Counsel representing the Appellant that the proceedings under the '**Prevention of Money Laundering Act, 2002**' (PMLA Act) are civil in nature and the view taken by the Adjudicating Authority that the proceedings in relation to the provisional attachment of the assets of the Corporate Debtor were in the nature of criminal proceedings not covered under Section 14 of the I&B Code is erroneous.

Let notice be issued upon Respondents. Appellant to provide mobile Nos./*e-mail* address of Respondents. Notice be issued through *e-mail* or any other available mode. Requisites along with process fee be filed within three days.

I.A. Nos. 1790 and 1791 of 2020 are allowed and disposed of.

I.A. No. 1789 of 2020

Let notice be issued upon the Respondents.

Meanwhile, status quo shall be maintained in respect of the assets/property of the 'Corporate Debtor'. However, 'corporate insolvency resolution process' proceedings will continue.

List the appeal 'for Admission (After Notice)' on **8th September, 2020**.

**[Justice Bansi Lal Bhat]
Acting Chairperson)**

**[V.P. Singh]
Member (Technical)**

**[Dr. Alok Srivastava]
Member (Technical)**

/ns/gc/