



\$~119

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

# **CNR No. DLHC010443542026**

+ **W.P.(C) 13684/2026**

**SANTOSH KUMAR GUPTA & ANR.**

.....Petitioners

Through: Mr Purushottam Sharma Tripathi and  
Mr. Prakhar Singh, Advocates

versus

**DEPUTY DIRECTOR, DIRECTORATE OF  
ENFORCEMENT**

.....Respondent

Through: Mr Annirudh Sharma and Mr Ankit  
Swami, Advs.

**CORAM:**

**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA**

**ORDER**  
**17.09.2026**

%

**CM APPL. 63867/2026 & CM APPL. 63868/2026 (exemption)**

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

**CM APPL. 63866/2026**

3. By way of the present application, the petitioners seek permission of this Court to file lengthy list of dates.
4. For the reasons mentioned in the application, the prayer made in the application is allowed and the petitioner is permitted to file lengthy list of dates.
5. Application stands disposed of. .



**W.P.(C) 13684/2026**

6. By way of the present writ petition, the petitioners seek following reliefs:

- “a) Issue an appropriate writ, order or direction quashing and setting aside the impugned order dated 20.05.2026 passed by the Hon'ble Appellate Tribunal under the Prevention of Money Laundering Act, 2002 in Appeals No. 2786/JP/2019, 2787/JP/2019, 2740/JP/2018 and 2741/CHN/2018;
- b) Issue a writ of Mandamus directing the Respondent Enforcement Directorate to forthwith comply with order dated 21.05.2018 passed by the Ld. Special Judge, CBI Court, Jaipur, orders dated 27.05.2024 and 28.05.2025 passed by the Hon'ble Appellate Tribunal and consequently release/de-freeze all pension, gratuity, provident fund, leave encashment and retiral benefit related accounts/FDRs of the Petitioners together with accrued interest thereon;
- c) Issue a writ of Mandamus directing the Respondent to attach the alternative properties to the extent of 35.5 Crores being the amount alleged to have been invested with co-accused since 2014 and retained by him since 2014 and consequently release the Petitioners on attached properties in terms of the order dated 27.05.2024 and 28.05.2025 passed by the Hon'ble Appellate Tribunal
- d) Declare that pension, gratuity, EPF, leave encashment and FDRs created from statutory retiral dues do not constitute "proceeds of crime" within the meaning of Section 2(1)(u) of the PMLA in absence of direct nexus with criminal activity relating to a scheduled offence AND continued withholding of pensionary and retiral dues despite judicial orders is violative of Articles 14, 21 and 300A of the Constitution of India;
- e) Direct payment of entire accrued interest on illegally withheld pensionary and retiral benefits from the date of illegal appropriation till actual release;”

7. Issue notice. The learned counsel accepts notice on behalf of the respondent.

8. Let the counter affidavit be filed within a period of four weeks from date, with an advance copy to the learned counsel for the petitioners, who may file rejoinder thereto, if any, at least two days prior to the next date of hearing.

9. List on 03.12.2026.



10. The order be uploaded on the website forthwith.

**DR. SWARANA KANTA SHARMA, J**

**SEPTEMBER 17, 2026/A**  
**VS**