2026:DHC:6683-DB

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

Date of decision:14.08.2026

\# **CNR No. DLHC010377522026**

\+ MISC. APPEAL(PMLA) 112/2026

THE DEPUTY DIRECTOR, DIRECTORATE OF ENFORCEMENT .....Appellant

Through: Mr.Vivek Gurnani, Panel Counsel, Mr.Kanishk Maurya, Ch.Abhinandan Patra, Advs.

versus

M/S ZO PVT. LTD .....Respondent

Through: Mr.Abhishek Malhotra, Sr. Adv. with Ms.Stuti Gujral, Ms.Shubhangani Jain, Ms.Priti Verma, Mr.Piyush Kumar, Mr.Vipin Kumar, Mr.Vishal Ramdawaj, Mr.H.Iyer, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE RAVINDER DUDEJA

NAVIN CHAWLA, J. (ORAL)

CAV 388/2026

1. As the learned counsel for the respondent enters appearance, the Caveat stands discharged.

MISC. APPEAL(PMLA) 112/2026 & CM APPL. 54317/2026

2. This appeal has been filed under Section 42 of the Prevention of Money Laundering Act, 2002 challenging the order dated 31.07.2026 passed by the learned Appellant Tribunal under SAFEMA, New Delhi

(hereinafter referred to as 'Tribunal') in application being I.A. No.MP-PMLA-4175/BNG/2026 in Appeal No.FPA-PMLA-1582/ BNG/2026, passing the following *interim* order in favour of the respondent herein:

> *"18. In light of the above facts and observations, I am of the view that considering the balance of interests and convenience, the interim relief sought vide the application under consideration be allowed to the extent and subject to the following safeguards which are broadly in line with the dispensation granted by the Hon'ble Single Judge of the Karnataka High Court:*
>
> *(a) The appellant/applicant would submit within a period of one week from today a list of employees to whom salaries are outstanding for financial year 2025-26, i.e., up to March, 2026, and the amount of salary to be paid to each employee, as well as the details of statutory dues to be paid to the Central Government;*
>
> *(b) The respondent would verify the same within a period of one week from the date of submission of the aforesaid details.*
>
> *(c) The respondent would, within three working days thereafter, communicate to the Bank(s) to enable the appellant company to defray the aforesaid expenditure to the extent the same is verified and found to be legitimately due to the employees/ to the government."*

3. The learned counsel for the appellant submits that the learned Appellate Tribunal has erred in law and on facts in allowing what the appellant claims to be 'proceeds of crime' in the hands of the respondent, to be used to discharge the liability, not of the respondent, but of another company namely M/s Winzo Games Private Limited,

who is the primary accused.

4. He submits that a similar direction was earlier passed by the High Court of Karnataka in Writ Petition no.962/2026 and affirmed by the Division Bench of that Court in Writ Appeal No.492/2026, but was set aside by the Supreme Court by its order dated 15.05.2026 passed in SLP (C) No.12671/2026, titled ***Directorate of Enforcement v. M/s ZO Private Limited***. He submits that the learned Tribunal has, therefore, erred in relying on the orders passed by the High Court.

5. Issue notice.

6. Notice is accepted by Ms.Stuti Gujral, the learned counsel for the respondent.

7. Mr.Abhishek Malhotra, the learned Senior Counsel appearing for the respondent on advance notice, submits that the learned Appellate Tribunal has balanced the equity by directing only the payment of salary of the employees of M/s Winzo Games Private Limited and other statutory dues of M/s Winzo Games Private Limited to be paid from the bank account freezed by the appellant. He submits that the respondent had been granted a loan by M/s Winzo Games Private Limited, and it was agreed between them that the said amount will be used for payment of salary and other statutory dues of M/s Winzo Games Private Limited. He submits that no prejudice will be caused to the appellant because of this *interim* arrangement.

8. Presently, we are not inclined to accept the submission of the learned Senior Counsel of the respondent.

9. It is the case of the appellant that the respondent is in possession of the proceeds of crime, which were freezed, and the freezing order

affirmed by the Adjudicating Authority. It is not the liability of the respondent, that is being sought to be paid by the *interim* order but of M/s Winzo Games Private Limited, who is stated to be the primary accused.

10. Keeping in view the above, and with the consent of the learned Senior Counsel for the respondent, the Impugned Order is hereby set aside. At the same time, it is directed that the learned Tribunal should decide the appeal filed by the respondent as expeditiously as possible, preferably within a period of two months from today.

11. We make it clear that any observations made hereinabove shall not influence the learned Appellate Tribunal in adjudicating the appeal on its own merits.

12. The appeal is allowed in the above terms. Pending application stands disposed of.

13. There shall be no order as to costs.

14. *Dasti.*

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

AUGUST 14, 2026/Arya/hn