

APPELLATE TRIBUNAL UNDER SAFEMA AT NEW DELHI

**1. MP-PMLA-6285/KOL/2019 (Misc.)
MP-PMLA-5483/KOL/2019 (Stay)
FPA-PMLA-2800/KOL/2019**

Shri Pramatha Nath Manna ... Applicant/Appellant

Versus

The Deputy Director,
Directorate of Enforcement, Kolkata ... Respondent

**2. MP-PMLA-3557/KOL/2024 Exemp.
MP-PMLA-3556/KOL/2024 Stay
FPA-PMLA-1560/KOL/2024**

M/s Temp Store ... Applicant/Appellant

Versus

The Deputy Director,
Directorate of Enforcement, Kolkata ... Respondent

Advocates/Authorized Representatives who appeared

For the Appellant : Ms. Tara Narula, Advocate

For the Respondent : Ms. Anubha Bhardwaj, Adv.

CORAM

SHRI BALESH KUMAR : MEMBER
SHRI RAJESH MALHOTRA : MEMBER

FINAL ORDER
19.03.2026

This Order disposes of the Appeals Nos. FPA-PMLA-2800/KOL/2019 filed by Shri Pramatha Nath Manna and FPA-

PMLA-1560/KOL/2024 filed by M/s Temp Store, against the Order dated 18.09.2018 (Impugned Order) passed by the Ld. Adjudicating Authority (AA) under the Prevention of Money Laundering Act, 2002 (PMLA) in the Original Complaint No. 948/2018 (OC). The Provisional Attachment Order F. No. KLZO/07/2015/AD(TB)/49 dated 28.03.2018 (PAO) issued in ECIR No. ECIR/KLZO/07/2015 dated 27.04.2015 was confirmed vide the Impugned Order.

2. Ld. Counsel for the Appellant submitted that a Complaint dated 07.08.2014 was made by Shri Arun Kumar Chakorbarty of MPSGDL Investors Association against M/s. MPS Greenery Developers Ltd., for not paying MIS, Maturity, Debt claim etc. FIRs were registered against Shri Pramatha Nath Manna, Managing Director of MPS Greenery Developers Ltd., for his involvement in serious criminal activities. These FIRs were Lake P.S. No. 466/14 dated 07.06.2014 u/s 420 of IPC, Bankura Sadar P.S. No. 132/2014 dated 01.04.2014 under u/s 406, 417, 420 & 120 B of IPC and Bankura Sadar P.S. No. 157/14 dated 17.04.2014 u/s 420, 406 read with 34 IPC. The allegations were that M/s MPS Greenery & others were illegally and fraudulently collecting deposits from public with intention of cheating them, by falsely promising high returns on their investment. The Provisional Attachment Order dated 28.03.2018 was passed by the Respondent Directorate against the property of the Appellants viz Plot No. 498,

RS Khatian No. 309, LR Khatian No. 289/1, 182/1N, 267/1, 238/1 being JL No. 126, at Mouza Ratulia, P.S. Panskura, Distt. Purba Medinipur in the name of Sh. Bholu Nath and property with address Sali Land, area 60 Dec. at Mouza Ratulia, J.L. No. 126, L.R. Khatian No. 289/1, 182/1m,267/1,181/1, and Plot No. 411, L.R Khatian No. 498 adjacent to M/s Ratulia Filling Station at 1 above, in the name of the Appellant M/s Temp Store of which partners were Shri Pramatha Nath Manna, Smt. Bakul Rani Manna, Ms. Krishana Manna and Ms. Debashree Manna.

3. Ld. Counsel for the Appellants further submitted that in view of the Final Order dated 02.12.2025 of the Co-ordinate Bench of this Tribunal, the present two Appeals may also be disposed of accordingly. Ld. Counsel cited the following from the said Final Order:

“The Provisional Attachment of the property was caused after recording an ECIR in reference to the FIR No. 132/2014 dated 01.04.2014 registered against the Appellant for an offence under Section 406, 417, 420 and 120B of IPC. Another FIR was registered on 17.04.2014 for same and similar offence. It was primarily against Shri Pramatha Nath Manna, Managing Director of MPS Greenery Developers Ltd. for non-payment of MPS since May, 2014 and non-

payment of death claim and even the emergency redemption etc., and thereby the innocent investors were cheated with false assurance and commitment and thereby the breach of trust. Many other FIR's were thereafter registered followed by recording of ECIR and to protect the money of the victim, Provisional Attachment Order was caused.

It is informed that Kolkata High has also taken cognizance of the affairs of the Company and to settle the amount in favour of the investors one-man Committee was constituted in the year 2015 and it is still operating. The one-man committee is to settle the dues in favour of the investors and thereby if any money is received out of the pocket of the Company involved in the commission of crime, it will go to the innocent investors and thereby Appellant could not find reason to press the Appeal in the changed scenario.

Ld. Counsel for the Appellant was fair to admit about constitution of one-(man) Committee and it is largely to settle the dues in favour of the persons invested the money in the Appellant Company. The Ld. Counsel for the Appellant fairly submitted that they are not opposing the settlement of dues of the investors

however the provisional attachment of the property is coming in their way and therefore limited to the aforesaid, the Appeal is pressed.

The arguments have been opposed by the Ms. Nattasha Garg & Ms. Nidhi Raman, the Ld. Counsel for the Respondent.

We find that if any one can be aggrieved against the Provisional Attachment of the property, it can be the person interested which may include the Appellant and can approach the Special Court PMLA by invoking Section 8(7) & 8(8) of the Act of 2002. The Appellant Company is however involved in the commission of crime and accordingly to settle the dues in favour of the investors, we close the file with a clarification that if due amount of the investors is settled by the concerned agency, it can take appropriate course for release of the property and in that case this order would not come in their way and with the aforesaid the Appeals are disposed of.”

4. Ld. Counsel for the Respondent had no objection if the two Appeals are accordingly disposed of.

5. On perusal of record, we find that the attachment of the impugned property in the name of the Appellant M/s Temp Store

has been confirmed in the Impugned Order, on the grounds that the proceeds of crime generated by MPS Greenery Developers Ltd. was routed through Shri Bhola Nath Das to purchase the impugned property and then sell it to the Appellant M/s Temp Store. The partners of M/s Temp Store were Shri Pramatha Nath Manna, Smt. Bakul Rani Manna, Ms. Krishana Manna and Ms. Debashree Manna. It is also on record that Sh. Pramatha Nath Manna is the Chairman-cum-Managing Director of MPS Greenery Developers Ltd.

6. In this regard, the following recorded in the Impugned Order is reproduced below:

“It is seen that the Ld. Division Bench of Hon'ble High Court of Calcutta vide judgment and order dated 23.12.2015 appointed a one-man committee to identify and make inventory and secure all the records of the companies and its directors in respect of movable and immovable properties belonging to MPS Group of Companies. The Enforcement Directorate have stated that in compliance of the said judgment and order of the Ld. High Court the Enforcement Directorate did not attach any movable or immovable properties in the name of MPS Group of Companies. However, during the course of investigation under PMLA the amount totaling

to Rs. 3,16,47,685 in respect of the immovable property was found to have been generated by Shri Pramatha Nath Manna, Managing Director cum Chairman of MPSGDL for his personal gain with the tainted money being the proceeds of crime just to cover up the tainted money. The role of Tempstore (D-3) has emerged from the statement of Shri Bholanath Das, who in his statement dated 11.10.2010 under PMLA stated that he had purchased a land vide Deed No. 04400/2010 dated 11.10.2010 adjacent to Ratulia Filing Station from Smt. Sadhana Sasmal, on consideration of Rs. 24,00,000/-. Thereafter, on the very next day, i.e. on 12.10.2010, as requested by Sh. Pramatha Nath Manna, the said land was transferred by way of Sale Deed in the name of Temp Store of Sh. Pramatha Nath Manna and his family members on consideration of Rs.28,70,320/-. As per request of Sh. Manna, the said amount of Rs.28,70,320/- plus stamp duty of Rs.23,230/ totaling to Rs.28,93,550/- was adjusted from the account (Rs.3,16,47,685/-) received from Sh. Manna. He submitted the copies of Deeds. The contention of the Defendant 2 (Shri Pramatha Nath Manna) and Defendant 3 (M/s Temp Store) contrary thereto is totally misconceived and misleading. The

Enforcement Directorate have submitted that the order of the Ld. Court is very specific and the complainant complied with the said order and there is no question of failure and neglect on the part of the Enforcement Directorate to consider the effect of the order of the Division Bench of High Court at Calcutta. It prima facie appears that the Enforcement Directorate have kept the observations of the Hon'ble High Court in mind in justifying the Provisional Attachment Order. The provisional attachment order is therefore justly issued. The evidence and material disclosed shows that the Provisional Attachment Order is required to deter the defendant herein from alienating the attached proceeds of crime in the form immovable property which is involved in money laundering and the non-attachment may seriously affect further proceedings under PMLA, 2002, and the subjective satisfaction of the Deputy Director is well justified based on the material available to him.”

7. We observe that in accordance with the Order dated 23.12.2025 of the Hon'ble High Court of Calcutta, the one-man Committee has to settle the due amount of the investors, if so required from the realization of the impugned property. The Order

dated 02.12.2025 of the Co-ordinate Bench of this Tribunal has granted liberty in connected matters to seek remedy u/s 8 (8) of PMLA after settlement of dues of the Investors. Accordingly, then the Appellants is at liberty to move the Special Court of PMLA under Section 8 (8) of PMLA for release of the properties remaining after the settlement of the dues of the Investors. The two Appeals are disposed of accordingly. Applications pending, if any, are disposed of accordingly.

(Rajesh Malhotra)
Member

(Balesh Kumar)
Member

New Delhi
19th March, 2026
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