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

+ CS(OS) 379/2025 & I.A. 14180-14183/2025, I.A. 14185/2025, I.A. 14728/2025

GOVERNMENT OF CANADA

.....Plaintiff

Through: Mr. Arvind Nayar, Sr. Advocate with
Mr. Shashank Verma, Mr. Sooraj
Sharma and Mr. Vipul Agrawal,
Advs.

versus

SANJAY MADAN AND ORS

.....Defendants

Through: Mr. Arindam Ghosh, Ms. Amrita
Grover and Ms. Sharanya Bhatnagar,
Advs. for D-1 with D-1 (through vc)
Mr. Ateev Kumar Mathur with Mr.
Amol Sharma Advs. for D-4/Kotak
Mr Anand Varma and Ms. Apoorva
Pandey Advs. for D-7/IDBI
(through vc)
Mr. Siddarth Dutta, Mr. Sanjeet
Malik and Mr. Pratyush Singh, Advs.
for D-8/Axis
Ms. Nidhi Vardhan, Adv. for
D-9/ PNB
Ms. Nisha Sharma, Adv. for
D-11/RBI

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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23.06.2025

I.A. 14728/2025 (Application on behalf of the plaintiff under Section 151 of CPC seeking urgent hearing)

1. This is an application filed by the Plaintiff seeking urgent hearing of the underlying suit.
2. In view of the fact that the matter is listed on board today, the relief sought in the application has been granted.
3. Accordingly, the application stands disposed of.

I.A. 14185/2025 (Application under Section 151 of the Code of Civil Procedure, 1908 seeking exemption from filing certified copy of documents)

4. This is an application filed by the Plaintiff seeking exemption from filing certified copies of the documents mentioned at prayer clause (a) of the captioned application.
5. The Plaintiff is directed to file certified copies of the said documents within eight (8) weeks.
6. With the aforesaid directions, the application stands disposed of.

I.A. 14183/2025 (Application under Section 151 of the Code of Civil Procedure, 1908 seeking permission for filing detailed synopsis and lengthy list of dates and events)

7. This is an application filed by the Plaintiff seeking permission to file a detailed synopsis and lengthy list of dates and events.
8. For the reasons stated in the application, the application is allowed. The synopsis as well as list of dates and events is directed to be taken on record.
9. Accordingly, the application stands disposed of.

I.A. 14182/2025 (Application under Section 80(2) of the Code of Civil Procedure, 1908 seeking exemption from issuing notice to defendant nos. 9 and defendant no. 11)

10. This is an application filed by the Plaintiff seeking exemption from issuance of Section 80(1) of the Code of Civil Procedure, 1908 ('CPC') notice to the Defendant Nos. 9 and 11.

11. Issue notice.

12. Learned counsels appearing for Defendant Nos. 9 and 11 respectively accept notice. They state that they have no objection to the reliefs sought in this application.

13. Keeping in view the urgency of interim reliefs sought in the underlying suit as well as the submission of the counsels for the concerned Defendants, the prayer for exemption is allowed; and the application is disposed of.

I.A. 14181/2025 (Application under Order XXXVIII Rule 5 of the Code of Civil Procedure, 1908 seeking attachment of Defendant Nos. 1 and 2's Bank Accounts located in India)

14. This is an application filed by the Plaintiff under Order XXXVIII Rule 5 of CPC.

15. Issue notice. Learned counsel for Defendant No. 1 accepts notice. Reply be filed within six (6) weeks. Rejoinder thereto if any be filed within four (4) weeks thereafter.

16. Upon steps being taken by the Plaintiff, issue notice to Defendant No. 2 through all modes.

17. Learned Counsel for the Defendant No.1 states that Defendant No. 2 has issued an e-mail dated 13.06.2025 stating that he has no objection to his bank accounts being attached.

18. Reply, if any, be filed by Defendant No. 2 within six (6) weeks.

Rejoinder thereto if any be filed within four (4) weeks thereafter.

19. In this application at prayer clause 'b', Plaintiff has sought directions to Defendant Nos. 3 to 10. The same relief has been prayed for in I.A. No. 14180/2025 and appropriate directions have already been issued in the said application. Therefore, no separate directions are to be issued to Defendant nos. 3 to 10.

I.A. 14180/2025 (Application under Section 94 read with Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 seeking ex-parte ad-interim injunction)

20. The present application has been filed under Order XXXIX Rules 1 and 2 CPC seeking *ex-parte ad-interim* injunction.

20.1. The underlying suit has been instituted under Section 84 of the CPC by a foreign state i.e., Government of Canada. The Plaintiff in the underlying suit has sought recovery of funds, rendition of accounts and injunction.

20.2. It is stated that the Defendant No.1 exploited his senior position within the Ministry of Education, Government of Canada to manipulate the payment system of the Support for Families Program (SFFP), thereby diverting substantial sums into bank accounts under his direct or indirect control.

20.3. It is stated that further the Defendant No.1 in collusion with Defendant No.2 has abused his authority as Director of the i-Access Branch to rig the selection process for IT Consultants (Fee-for-Service Consultants) within the Ministry of Education, Government of Canada securing illicit commissions from Vendors of Record (VOR) Contractors and Sub-contractors through a kickback scheme.

20.4. It is stated that proceedings against the Defendant Nos. 1 and 2 were initiated by the Plaintiff in Ontario Superior Court of Justice, Canada, which Court has issued the Worldwide Mareva Injunction to prevent the Defendant Nos. 1 and 2 in the Canadian proceedings from dissipating their assets, including those located outside Canada (in the present case in India). It is stated that it has been admitted by Defendant No.1 before the Canadian Court that certain funds out of the proceeds of crime were transferred to India. It is stated that it has further come on record in the proceedings before Courts in Canada on admission of the Defendant Nos. 1 and 2 that funds out of the crime proceeds were also used to buy properties in India.

20.5. It is stated that in these circumstances Defendant Nos. 1 and 2 be restrained from operating or transacting with any funds held in their Indian bank accounts, as detailed in paragraphs '100' and '152' of the accompanying Plaint. The said paragraphs of the plaint read as under:

“**100.** Further investigation has identified additional bank accounts held by Sanjay and Shalini in India, which were used to receive the illegally obtained funds. The identified accounts include the following:

1. **YES Bank**, Account No. 6191000003370 held jointly by Sanjay Madan and Shalini Madan, and Account No. 619100000003 7, held by Sanjay, Branch Address: E-31, Saket, New Delhi - 110017, now at E- 34, E Block, Saket, New Delhi- 110017.

2. **Kotak Mahindra Bank**, Account No. 411127723, held by Sanjay Madan, Branch Address: E-25, Saket, New Delhi - 110017; ING Vysya Bank (now merged with Kotak Mahindra Bank), Account No. 530010160100, held by Sanjay Madan, Branch Address: 16 11, Rd Chambers, Main Arya Samaj Road, Karol Bagh, New Delhi - 110005 OR E-25, Saket, New Delhi - 110017.

3. **IndusInd Bank**, Account No. 156478558703, held by Sanjay Madan, Branch Addresses: 134/4, Lala Lajpat Marg, Kailash Colony, New Delhi or Bhisbma Pithamaha Marg, Defence Colony, New Delhi - 110024.

4. **ICICI Bank**, Account No. 17101016900, held by Sanjay Madan, Branch Address: E-30, Saket, New Delhi.

5. **Axis Bank**, Account Nos. 838807369 and 912010002226355, held by Sanjay Madan, Branch Address: E-146, Saket, New Delhi.

6. **Punjab National Bank**, Account No. 120000502560887, held by Sanjay Madan, Branch Address: Gurudwara Road, Karol Bagh, New Delhi; now at 8/1, Ground Floor, Abdul Aziz Road, Karol Bagh- 110005

7. **RBL Bank Limited**, Account No. 309008904915, held by Sanjay Madan, Branch Address: J-13/52 Rajouri Garden, New Delhi - 110027.

8. **IDBI Bank**, Account No. 110104000244534 and 77717062, held by Sanjay Madan, Branch Address: E-29, PVR Road, Saket, New Delhi- 110017.

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152. The Plaintiff asserts that Vidhan transferred ill-gotten gains received from the two: fraudulent schemes from Canada to India. Notably, in his affidavit dated December 18, 2020, submitted in the Civil Action, Vidhan disclosed two bank accounts that he holds jointly with his wife, at an Axis Bank branch in New Delhi. The Plaintiff contends that these ill-gotten gains were transferred to the disclosed accounts but possibly also to additional bank accounts in India, either directly or indirectly under Vidhan's control. To identify accounts which may have remained unidentified, the Plaintiff seeks the relief of rendition of accounts against Vidhan. The details of the bank accounts disclosed in Vidhan's affidavit are as follows:

Bank Name	Indian branch	Account Holder	Account Number	Balance (in CAD)
Axis Bank	E-146, Saket, New Delhi	Vidhan Singh and Priti Singh	917010086107112	104.22
			917010086107138	7,013.40

....”

21. Issue notice. Learned counsel for Defendant No. 1 accepts notice. Defendant No. 1 has also joined the proceedings through Video Conferencing Link.

22. Learned counsel for Defendant No. 1 states on instructions from Defendant No.1, that Defendant No.1 has no objection to the operation of bank accounts enlisted at paragraphs ‘100’ and paragraph ‘152’ of the plaint being injuncted.

22.1. He states that infact, there are sufficient funds lying in the bank accounts held by Defendant Nos. 1 and 2 with Defendant No. 5/IndusInd

and Defendant No. 10/RBL, which would be sufficient to pay the amount of INR 65.9 Crores as per the settlement arrived on 06.03.2025 in the Civil Action and CRA proceedings which were initiated in Canada. He states that to the best of the knowledge of Defendant No.1, there is an amount of Rs. 38.3 Crores, which is lying deposited in Defendant No.5 bank and Rs. 29 Crores in Defendant No.10 bank.

22.2. He states that Defendant No.1 has no objection if Defendant No. 5 and Defendant No. 10 remit the amounts lying in the respective accounts held in the said banks under the name of Defendant Nos. 1 and 2, directly to the Crown/Plaintiff after compliance with the rules.

22.3. He, however, discloses that the accounts held with Defendant Nos. 5 and 10 are lying dormant. He states that Defendant No. 1 undertakes to execute all necessary documents for making compliance through KYC of the accounts with Defendant Nos. 5 and 10, so as to enable their operation and repatriation of the amounts to the Crown/Plaintiff.

22.4. He states that Defendant No. 1 will file all necessary documents duly executed in Canada and appear before the concerned Branch Manager of Defendant Nos. 5 and 10, through video conferencing.

23. Defendant No. 1 who appears through Video Conferencing Link confirms the submissions of his counsel and states that he has no objection if a restraint order in terms of prayer clause (a) and (b) of the captioned application is granted qua the bank accounts held by Defendant No. 1.

23.1. He states that after making payments to the Crown/Plaintiff to the extent of Rs. 65.9 crores, he may be permitted to withdraw limited funds to make payments of legal fees to the counsel representing him in these proceedings against valid invoices.

Direction to Defendant Nos. 1, 5 and 10

24. In view of the submissions of counsel for the Defendant No. 1 and the Defendant No.1 himself who appeared through Video Conferencing Link, the Defendant No.5/IndusInd and Defendant No.10/RBL are directed to co-operate with the Defendant No.1 in getting the KYC compliance done within two (2) weeks qua the bank accounts held in the name of Defendant No.1 in their respective banks.

24.1. After the above said KYC compliance is done, Defendant No. 5 and Defendant No. 10 are further directed to remit an amount to the tune of Rs. 65.9 Crores in the bank account of the Crown/Plaintiff in accordance with applicable law/rules.

24.2. The bank account details of the Crown/Plaintiff shall be provided by the learned counsel for the Plaintiff directly to the Defendant No.5 and Defendant No.10 with necessary intimation/information to the counsel for the Defendant No.1. The Plaintiff will also take all necessary steps for providing requisite documentation to Defendant Nos. 5 and 10 for making the aforesaid compliance of remittance of Rs. 65.9 Crores.

25. Defendant No. 5/IndusInd Bank and Defendant No. 10/RBL shall file their status report of the compliance within six (6) weeks.

Defendant Nos. 4, 7, 8, 9 and 11

26. Learned counsel for Defendant Nos. 4, 7, 8, 9 and 11 accept notice. The counsels appearing for the said Defendants will ensure that their Vakalatnama is filed within one (1) week, if not already filed.

Directions to Defendant No.7

27. Learned counsel for Defendant No. 7 states that she has instructions to submit that the sole account held by Defendant No. 1 with the Defendant

No.7 bank was closed on 01.03.2025.

27.1. Defendant No. 7 is directed to make the said statement on affidavit within six (6) weeks. Defendant No. 7 will file along with affidavit the statement of account w.e.f. 01.04.2023 until 01.03.2025.

Issuance of notice to Defendant No. 2, 3, 5, 6, 10

28. Upon steps being taken by the Plaintiff, issue notice to the non-appearing Defendants i.e., Defendant Nos. 2, 3, 5, 6, 10.

29. Defendant Nos. 3 to 10 are directed to file an affidavit and produce the information sought by the Plaintiff at prayer clause (c) of the captioned application within six (6) weeks. Defendant Nos. 3 to 10 are also at liberty to file the reply to this application within six (6) weeks.

30. In addition, Defendant No. 1 and Defendant No. 2 are directed to file an affidavit making a disclosure in terms of prayer clause (f) of the captioned application within six (6) weeks.

31. Defendant Nos. 1 and 2 are directed to file reply to the remaining reliefs in captioned application within four (4) weeks. Rejoinder thereto, if any, be filed within four (4) weeks thereafter.

32. In view of the statement of Defendant No. 1 and the e-mail response of Defendant No. 2, Defendant Nos. 1 and 2 are restrained from transacting from their Indian Bank accounts until the final disposal of this application.

32.1. However, as directed above, Defendant No. 1 will be entitled to operate the accounts only to the limited extent to remitting Rs. 65.9 crores to the Plaintiff.

32.2. Defendant No. 1 will also be entitled to operate the bank account for payment of legal fee to its counsel representing him in this matter against valid invoices. The details of the bank account operated for making the

payments along with the invoices will be filed within two (2) weeks of its operation. For this purpose, account will be operated after the payment of Rs. 65.9 crores has been remitted.

33. List before the learned Joint Registrar (J) for completion of service and pleadings on **21.07.2025**.

34. List before the Roster Bench on **02.09.2025**.

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35. Let the plaint be registered as a suit.

Summons to Defendant No.1

36. Issue summons. Ms. Amrita Grover, Advocate accepts summons on behalf of Defendant No. 1. She waives formal service of summons. She confirms that she has received the entire paperbook.

37. She states that the written statement will be filed within six (6) weeks along with affidavit of admission/denial of the documents filed by the Plaintiff, failing which the written statement shall not be taken on record. It is ordered accordingly.

38. The Plaintiff is at liberty to file replication thereto within four (4) weeks after filing of the written statement by Defendant No.1. The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by the Defendant No.1, failing which the replication shall not be taken on record.

39. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

40. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

Summons to Defendant No.2

41. Upon steps being taken by the Plaintiff, issue summons to Defendant No. 2 through all modes. Affidavit of service be filed within three (3) weeks.
42. The summons shall indicate that the Defendant No. 2 shall file written statement within six (6) weeks. The Defendant No. 2 shall also file affidavit of admission/denial of the documents filed by the Plaintiff, failing which the written statement shall not be taken on record.
43. The Plaintiff is at liberty to file replication thereto within four (4) weeks after filing of the written statement. The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by the Defendant No.2, failing which the replication shall not be taken on record.
44. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
45. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

Summons qua Defendant Nos. 3 to 11

46. At this stage, no summons is being issued to Defendant Nos. 3 to 11 to file any written statement to this suit; instead, the Defendant Nos. 3 to 10 are directed to file their detailed response to **I.A. 14180/2025**. The Plaintiff is agreeable to the same.
47. The Plaintiff will file an affidavit of service within two (2) weeks.
48. List before the learned Joint Registrar (J) for completion of service and pleadings on **21.07.2025**.
49. List before the Roster Bench on **02.09.2025**.
50. Order XXXIX Rule 3 CPC compliance be carried out within one (1)

week. Affidavit of service be filed within two (2) weeks.

51. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
(VACATION JUDGE)

JUNE 23, 2025/msh/sk

Click here to check corrigendum, if any