

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2481 OF 2021
IN
WRIT PETITION NO. 2141 OF 2014**

S. Ramesh Kumar ...Applicant

vs.

Dhyan Investments and Trading
and Company Limited and Ors. ...Respondents

Ms. Teja Katdare - Advocate for the Applicant – in Application
Mr. H. S. Venegaonkar - For the CBI - in Application
Amit Desai – Sr. Advocate, Mr. M. A. Kamdar i/by Kanga & Co. - Advocate
for the Petitioner in Writ Petition No. 2141 of 2014.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 08th MARCH, 2022

P. C. :-

. By way of present application, the applicant is making a very limited prayer and the prayer reads thus:-

(a) The C.B.I. (Original Respondent No. 1) may be directed to handover the passport of the Applicant bearing No. U-926748 issued on 08/01/2021 and valid till 07/03/2031 to the Applicant for obtaining Visa.

2. The learned counsel for the Applicant submitted that the passport of the applicant was deposited in the office of the CBI in the year 1998 during the pendency of Writ Petition No. 2141 of 2014. The passport of

the Applicant was renewed and was sent to CBI directly and presently, it is in the custody of the CBI.

3. The learned counsel invited our attention to the paragraph no. 5 of the application. That in the year 2012, the son of the Applicant, Mr. Harish Rameshkumar has gone to USA for Higher studies and is presently working in Canada. The married daughter of the Applicant Krithika Rameshkumar has also settled down in USA. Due to the unforeseen situation like outbreak of pandemic, the Applicant was unable to visit India. The learned counsel submits that for renewal of the Visa, the Applicant would require the passport for completing the necessary formalities.

4. The learned counsel Mr. Venegaonkar appearing for CBI submits that the Respondent-CBI has no objection to handover passport to the Applicant for a limited period for completing the formalities of Visa but the Applicant must return back passport to the CBI Officers after completing the necessary formalities of the Visa.

5. In view of this submissions and counter submissions, we are of the opinion that present application can be disposed of with directions to Respondent No. 1- CBI to handover passport of the Applicant bearing No. U926748 issued on 08/01/2021 for a limited period as to complete the necessary formalities to obtain Visa, i.e. for 12 weeks, and on completing

the necessary formalities, the Applicant should return the passport to the Respondent No. 1-CBI and in case the formalities could not be completed within stipulated period of 12 weeks, the Applicant is at liberty to file an application seeking the extension of period.

6 With the aforesaid liberty, Interim Application No.2481 of 2021 is disposed of.

WRIT PETITION NO. 2141 OF 2014

7. Our attention was invited to the Order of this Court dated 14/02/2022. The learned counsel appearing for the parties submit that the petition is ready ripe for hearing.

8. The Petition is being of the year 2014, we direct the office to list the Petition for hearing on 25/04/2022.

9. Interim Order, if any granted earlier, to continue till the next date.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)