

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

136

CWP-11912 of 2022 (O&M)

Date of decision: 27.05.2022

Amit Gupta

...Petitioner

Versus

Union of India and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE M.S. RAMACHANDRA RAO
HON'BLE MR.JUSTICE H.S. MADAAN**

Present: Mr. APS Madaan, Advocate with
Mr. Aalok Jagga, Advocate and
Mr. Harkirat S. Jagdev, Advocate for the petitioner.

M.S. RAMACHANDRA RAO, J. (Oral)

Notice of motion.

Mr. Satya Pal Jain, Addl. Solicitor General of India with Ms. Shweta Nahata, Central Government Counsel accepts notice for respondent No.1, and Mr. G.S. Anand, Advocate has put in appearance on behalf of respondent No.2-Bank.

In this writ petition, the petitioner is challenging the Look out circular issued at the instance of respondent No.2 on the basis of which he alleges that he was prevented from travelling to Japan on 10.02.2020.

Counsel for respondent No.1-UOI has placed before us Look out circular issued against the petitioner at the instance of respondent

No.2, but in the connected Writ Petition No.10806-2022 also listed today, a memo has been filed on behalf of respondent No.2-Bank specifically stating that as per available official record, there is no communication to the petitioner regarding he being a “willful defaulter” or being declared as a “fraud”.

It is the stand of counsel for respondent No.2 that such proceedings have been initiated against a company by name M/s Osil Exports Ltd., in which the petitioner's parents are directors and guarantors. He asserts that there is a *bona fide* mistake on the part of respondent No.2 seeking Look out circular against the petitioner.

Having regard to the said submissions, the Look out circular bearing No.2019434435 issued against the petitioner by respondent No.1 at the instance of respondent No.2 is set aside, and any endorsements made on the basis of the said Look out circular in the passport of the petitioner are directed to be annulled by respondent No.1, and the petitioner ought not to be restrained by the respondents from travelling abroad on the basis of said Look out circular.

Disposed of.

(M.S. RAMACHANDRA RAO)
JUDGE

27.05.2022
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(H.S. MADAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No