

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

**INTERIM APPLICATION NO.4290 OF 2023
IN
CRIMINAL WRIT PETITION NO.1975 OF 2023**

Dr. Akhtar Hasan Rizvi ... Applicant
Versus
The State of Maharashtra & Anr. ... Respondents

...

Mr. Rajiv Chavan a/w. Ms. Priyanka Chavan for Petitioner.

Ms. P. P. Shinde APP for State.

Mr. D. P. Singh, for Respondent No.2.

Mr. Mayur Sonawane, for Intervener in IA (St) 14224 of 2023

Mr. Babar Shinde, P. I. Unit-5, 44-3, EOW, Mumbai present

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**CORAM : SANDEEP V. MARNE &
DR. NEELA GOKHALE, JJ.
(Vacation Court)**

DATE : 22 NOVEMBER 2023.

P. C.:

By the present petition, Applicant has prayed for following reliefs :-

- a) That pending the hearing and final disposal of the Writ Petition, this Hon'ble Court be pleased to suspend the purported Look-Out Circular issued against the Applicant by the Respondent No.2 on recommendation of the Respondent No.1 for a period of 41 days commencing from 28th November, 2023 till 07th January, 2024;

b) That pending the hearing and final disposal of the Writ Petition, this Hon'ble Court be pleased to grant permission to the Applicant to travel to London, United Kingdom limited period of 41 days commencing from 28th November, 2023 till 7th January, 2024.

2. By Order dated 19 June 2023 this Court permitted Applicant to travel to London for his medical treatment as well as for his daughter's engagement during the period from 20 June 2023 to 18 July 2023. By further Order dated 04 September 2023, this Court permitted Applicant to travel to London for medical treatment of his daughter from 05 September 2023 to 21 September 2023. The Applicant has apparently complied with all the conditions stipulated by this Court in Orders dated 19 June 2023 and 04 September 2023 and has returned to India within a stipulated time.

3. The present Application is filed by the Applicant seeking permission to travel to London for a period of 41 days from 28 November 2023 to 07 January 2024 for the purpose of his and his wife's health checkup and medical treatment in Mevo Clinic Healthcare at London. The Applicant states that he has been undergoing medical treatment with Dr. Gosia Wamil from November 2022 for cardiac ailments. The Applicant has taken appointment for consultation with Dr. Gosia Wamil on 28 November 2023 and for his wife on 08 December 2023. Applicant also desires to spend time with his daughter who is also undergoing treatment.

4. Considering the fact that the Applicant has complied with all the conditions stipulated in the Orders dated 19 June 2023 and 04 September 2023 and has returned to India within the stipulated period, we are inclined to permit the Applicant to travel to London for a period of 41 days as prayed for.

5. We accordingly proceed to pass following order :-

(i) Applicant Akhtar Hasan Rizvi is permitted to travel London during the period from 28th November 2023 to 07th January 2024;

(ii) Applicant, before his departure, to furnish the full itinerary of his overseas travel with all details, including the address where he would stay, telephone/mobile/contract numbers, on which he can be contacted, during the said period to the concerned Officer of the Respondent No.1 before his departure.

(iii) In order to enable the Applicant to travel to London from 28th November 2023 to 07th January 2024, the L.O.C. issued against the Applicant by the Respondent No.2-Union of India on the recommendation of the Respondent No.1-EOW, is suspended from 28th November 2023 to 07th January 2024.

(iv) Applicant to inform the office of the Respondent No.1-EOW of his return within one week of his return.

(v) The Immigration Authorities on all points of departure, will permit the Applicant to pass through immigration and to board his flight or flights irrespective of whether the immigration system has been updated and whether the Respondent No.1-EOW has informed the Immigration Authorities or not.

6. Learned counsel for the Respondent Nos.1 & 2 to communicate this Order to the Immigration Authorities forthwith and in any event, within 24 hours of this Order being uploaded.

7. Interim Application is disposed off in aforesaid terms.

8. All concerned to act on the authenticated copy of this Order.

DR. NEELA GOKHALE, J.

SANDEEP V. MARNE, J.

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KAMBLE

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