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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.2030 OF 2023
IN
WRIT PETITION (ST) NO.14169 OF 2023

Mehak Kaushik ...Applicant
In the matter between
Mehak Kaushik ...Petitioner
Versus
Union of India
Through Government Pleader & Ors ...Respondents

Dr Abhinav Chandrachud, *with Saurabh Shetye & Kushal Sawant,*
i/b Puneet Gogad, for the Applicant.
Mr Dashrath A Dube, *with Rupesh D Dubey, i/b A A Ansari, for*
Respondent No.1.

CORAM: G.S. Patel &
Neela Gokhale, JJ.
DATED: 6th June 2023

PC:-

1. The Petition challenges a Look Out Circular (“**LOC**”) issued at the instance of the Indian Bank (“**IB**”) through the Bureau of Immigration.

2. We note at the outset that a group of substantive Petitions challenging the Office Memorandum under which such LOCs are issued has been heard and awaits judgment.

3. The Petitioner's endeavour are stated in paragraph 4(b) that he has engaged in spiritual and social services and religious and social charities.

4. It seems that one M/s. Jaylon Impex India Pvt Ltd took a loan from the Indian Bank for the repayment of which the Petitioner was persuaded to stand guarantee. Jaylon defaulted and this resulted in proceedings against the Company. Dr Chandrachud points out that there are no criminal proceedings against the Petitioner, although there are other civil proceedings which the Petitioner is defending.

5. The Petitioner was first confronted with the LOC on 18th July 2022. He then filed a Writ Petition for permission to travel abroad and was granted permission on certain conditions by an order dated 20th October, 2022.

6. The Petitioner thus contains a challenge to the LOC and the Office Memorandum.

7. The present Interim Application seeks leave to travel overseas, despite the pending LOC, from 4th June 2023 to 1st July 2023 for reasons set out in the Interim Application. Since the Petitioner has roots in India and since he has received previous

travel permission and has complied with the conditions of the permission, we stay the LOC for a limited duration.

8. Dr. Chandrachud states that the prayer in the interim application has been curtailed and is now set out in the fresh affidavit dated 3rd June, 2023 which is to be filed in the Registry. The revised dates are from 6th June, 2023 to 21st June 2023.

9. The present application (as revised) is for leave to travel to Japan from 6th June 2023 to 21st June 2023 (both days inclusive). Since leave has been previously granted and the Applicant has returned to India, we grant the Applicant permission and allow the application subject to the usual conditions, viz.:-

- (a) the Applicant is to file an undertaking to return to this country at the end of this period, if not already done;
- (b) the Applicant is to file a detailed itinerary with his contact details and addresses overseas, if not already done;
- (c) The Applicant must file an undertaking (if not already done) not to apply for renewal or extension of this order until he returns to this country.

10. Subject to these conditions, the LOCs in question against the Applicant is stayed as prayed until 23rd June 2023.

11. The immigration authorities at all ports of departure including all airports will permit the Applicant passage and permit

the Applicant to take his flights out of the country irrespective of whether any consortium of banks have notified them or not and irrespective of whether this suspension is noted in the immigration authorities' systems or not.

12. The immigration authorities will not ask for a certified copy of this order but will act on presentation of an authenticated or digitally signed copy of this order.

13. The Interim Application is disposed of in these terms. No Costs.

(Neela Gokhale, J)

(G. S. Patel, J)