



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

**CIVIL APPLICATION(W) NO.2893 OF 2023 IN
WRIT PETITION NO.5473 OF 2022**

Piyush s/o Late Rajesh Marodia

vs.

Bureau of Immigration, Ministry of Home Affairs, New Delhi and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.V.Chauhan, Advocate with Shri C.J.Dhruv, Advocate applicant/ petitioner.
Shri N.S.Deshpande, Deputy Solicitor General of India for respondent no.1.
Shri P.P.Joshi, Advocate h/f Shri S.N.Kumar, Advocate for respondent no.2.
Shri A.T.Purohit, Advocate for respondent no.3.

CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 27th SEPTEMBER 2023

By this application, the applicant prays that a direction be issued to the respondent no.2-Bank to inform the Immigration Authorities that the lookout circular that has been issued at its behest may not be enforced for the period from 02.10.2023 to 07.10.2023 as the petitioner intends to travel to 'Dubai'.

2. It is seen that the applicant had moved a similar application being Civil Application (W) No. 1365 of 2023 in this writ petition which came to be granted on 27.04.2023. According to the learned counsel for the applicant/petitioner benefit of this order was not taken by the petitioner and an affidavit indicating the same is placed on record. Hence similar permission is sought.

3. We have heard the learned counsel for the parties. On 27.04.2023 the following was passed:

"By this application, the applicant-petitioner seeks a direction that the respondent nos.2 -State Bank of India and the respondent no. 3-Punjab National Bank may intimate the respondent no.1-Immigration Authority at Mumbai that in view of the interim order dated 22.09.2022 passed in this writ petition, the applicant would be entitled to travel to Singapore from 07.05.2023 to 10.05.2023.

2. *The learned counsel for the respondent no.2 has filed pursis dated 27.04.2023 stating therein that the loan account of the petitioner alongwith other account holders has been transferred at State Bank of India, Stressed Assets Resolution Group, Commercial (III), Nariman Point, Mumbai and hence the applicant ought to substitute the said Branch of the State Bank of India in place of the respondent no.2 in the writ petition.*

3. *In view of aforesaid pursis, the petitioner is accordingly directed to substitute the said Branch of State Bank of India in place of the respondent no.2. Corrections to be carried out forthwith.*

4. *It is seen that as per the earlier order dated 22.09.2022 the effect, operation and implementation of the Look Out Circular in view of the letters issued by the State Bank of India, and Punjab National Bank has been stayed until further orders. Accordingly subject to furnishing of an undertaking as stated in paragraph 25 of the judgment in Writ Petition No.2826 of 2022 (Anurag Padmesh Gupta Vs. Bank of India and anr) except marking attendance before the Indian Embassy on account of the short duration of stay. On compliance with the directions issued therein, the applicant is permitted to travel to Singapore from 07.05.2023 to 10.05.2023.*

5. *The learned counsel for the respondent nos.2 and 3 shall instruct the respective Bank to communicate this order to the concerned Immigration Authority at Nagpur. Similar steps shall be taken by the learned Deputy Solicitor General of India.*

6. *The civil application is disposed of.”*

4. Since the applicant did not take benefit of this order and he seeks such permission in similar circumstances, the civil application is allowed for the reasons indicated in the order dated 27.04.2023 referred to above. The petitioner however shall file a fresh undertaking as indicated in paragraph 4 of that order.

5. The learned counsel for the respondent nos. 2 and 3 to instruct the respective Banks accordingly and take steps to communicate this

order to concerned Immigration Authorities at Nagpur. Similar steps shall be taken by the learned Deputy Solicitor General of India.

6. The civil application is disposed.

Writ Petition No. 5473 of 2022

Stand over three weeks for further consideration.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.