

OD 7

WPO/430/2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MRS. SAPNA SUREKA
VS
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 16th May, 2024.

Appearance:
Ms. Noelle Banerjee, Adv.
Mr. Dipak Dey, Adv.
Ms. Sucheta Mitra, Adv.
...for the petitioner

Mr. Vipul Kundalia, Adv.
Mr. Amit Sharma, Adv.
...for the UOI

Mr. Soumya Roy, Adv.
Ms. Benazir Kazi, Adv.
...for the respondent nos.5 & 6/State Bank of India

The Court: Affidavit of service filed today be kept on record.

Learned counsel for the petitioner points out that the common request made by the bank, which was a genesis of the impugned Look Out Circular against the petitioner, was set aside in WPA No.2002 of 2024 which was preferred by one Ajay Sureka. It is submitted that in view of such setting aside, the LOC issued against the petitioner on the self-same request cannot also be sustained.

It is found from the order dated March 14, 2024 passed in WPA No.2002 of 2024 at the behest of one Ajay Sureka that the Look Out Circular therein had been quashed along with the request by the bank, which is the genesis of the present LOC as well. The premise thereof was that the request of the bank does not come within the four corners of the relevant clauses of the Government Circulars which govern the issuance of Look Out Circulars.

Since the self-same request has already been quashed, nothing remains in the Look Out Circular issued on the basis of the same against the present petitioner. Accordingly, WPO/430/2024 is allowed on contest, thereby setting aside the Look Out Circular issued against the writ petitioner and directing the respondent authorities to reverse all action which might have been taken against the writ petitioner pursuant to the impugned Look Out Circular.

No order as to costs.

Urgent certified website copy of this order, if applied for, be made available to the parties subject to compliance with the requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)