
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11420 OF 2022

Maruti Nivrutti Navale

...Petitioner

Versus

Union of India through Commissioner
(Immigration) & Anr

...Respondents

Mr. V.P. Sawant, Senior Advocate, a/w N.S. Dhumal, Advocates for the Petitioner.

Mr. S.K. Halwasia, a/w Deepak Shukla, Advocates for Respondent No.1-UoI.

Mrs. Rathina Maravarman (through V.C.), a/w Akanksha Hambir, Advocates for Respondent No.2-Bank of Baroda.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : MAY 08, 2024

PC :

1. The above Writ Petition is filed seeking the following reliefs:

“a) That this Hon’ble court may be pleased to issue a Writ of certiorari or any other Writ, order or direction in the nature of certiorari calling for record and proceedings from the respondents in respect of issuance of Look Circular against the

present petitioner and after going into the legality, validity, and propriety of the look of Circular (LOC) issued against the present petitioner, be pleased to quash and set aside the same.”

2. We find that the issue raised in the above Writ Petition is squarely covered by a Division Bench judgment of this Court in the case of ***Viraj Chetan Shah Vs. Union of India Through The Ministry of Home Affairs & Anr.*** (Writ Petition No. 719 of 2020 and other connected matters decided on 23rd April, 2024).

3. In these circumstances, the Petition succeeds and the LOC issued against the Petitioner at the instance of Bank of Baroda is hereby quashed and set aside.

4. The Bureau of Immigration will ignore and not act upon any LOCs issued at the instance of the Bank of Baroda against the present Petitioner. All databases will be updated accordingly. We direct the Bureau of Immigration and or the Ministry of Home Affairs to do the needful in this regard.

5. We, however, clarify that this order will not and does not affect any existing restraint order issued by a competent authority,

Court, tribunal, investigative or enforcement agency or an enforcement of any order of a Court. Where any Court or tribunal has issued a restraint order (even at the instance of a public sector bank), that order will continue to operate and the invalidation of the present LOCs cannot and will not affect such orders.

6. The Writ Petition is accordingly disposed of. However, there shall be no order as to costs.

7. In light of the disposal of the above Writ Petition, nothing survives in any Interim Applications pending therein, and the same are disposed of accordingly.

8. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]