
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12704 OF 2022

WITH

INTERIM APPLICATION NO. 7853 OF 2023

IN

WRIT PETITION NO. 12704 OF 2022

WITH

INTERIM APPLICATION NO. 19393 OF 2022

IN

WRIT PETITION NO. 12704 OF 2022

Sheela Abhay Lodha

...Petitioner

Versus

Union of India & Ors

...Respondents

Ms Neeha Nagpal (Through VC) with Rahul Punjabi, *dvocates for the Petitioner.*

Mr. S.K. Halwasia with Mr. Deepak Shukla, *Advocate for Respondents No.1-UI.*

Mr. Dashrath Dube with Y.R. Mishra, *Advocate for Respondent Nos.2 & 3-UI.*

Mrs. Rathina Maravarman (Through VC) with Ms. Aakanksha Hambir, *Advocate for Respondent No.4-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 Hon’ble Court may kindly issue writ of mandamus and/or any other appropriate writ and/or direction and/or order and thereby quash the Look Out Circular issued by Respondents No.2 against the Petitioner; at the instance of Respondents No.4, 5 and/or 6;

B. The Hon’ble Court may kindly issue writ of mandamus and/or any other appropriate writ and/or direction and/or order and thereby direct the Respondent No.4, 5 and/or 6 to withdraw their request made to Respondent No.2 in the event that the LOC has been issued;”

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 and/or Central Bank of India and/or Indian Bank 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 and/or Central Bank of India and/or Indian Bank 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.]