

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.7191 OF 2024
WITH
INTERIM APPLICATION (ST) NO.15887 OF 2023
WITH
INTERIM APPLICATION (ST) NO.15886 OF 2023**

Mr. Vaibhav Prasanna Lodha	.. Petitioner
Vs.	
Union of India & Ors.	.. Respondents

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Mr. Bhavesh Thakur, for Petitioner.

Mr. D. P. Singh, for Respondent Nos.1 to 3.

Mr. Nishit Dhruva a/w. Ms. Niyati Merchant, Mr. Yash Dhruva, Mr. Harsh Sheth & Mr. Darshit Rupda for Respondent Nos.4, 5, 9 & 12.

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**CORAM : A.S. CHANDURKAR &
S. M. MODAK, JJ**

DATE : 11th JUNE, 2024.

P C. :

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

“A. The 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 Respondent Nos.4 to 14;

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 Nos.4 to 14 to withdraw their request made to Respondent No.2 in the event that the LOC has not been issued;

C. Pending the hearing and final disposal of this Writ Petition this Hon'ble Court may kindly stay the effect, execution and operation of the Look Out Circular, issued by Respondent NO.2

against the Petitioner, at the instance of Respondent Nos. 4 to 14;

D. Pending the hearing and final disposal of this Writ Petition this Hon'ble Court may kindly direct the Respondents to produce the copy of the Look Out Circular, issued by Respondent No.2 against the Petitioner, at the instance of Respondent Nos.4 to 14;

E. Pending the hearing and final disposal of this Writ Petition this Hon'ble Court may kindly direct the Respondents to not obstruct and/or prohibit the Petitioner from travelling abroad;

F. Ad-interim and interim relief in terms of prayer clause (C) to (E) above;”

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 V/S 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 LOCs issued against the Petitioner at the instance of State Bank of India, Punjab National Bank, Bank of Baroda, Union Bank of India, Syndicate Bank, Oriental Bank of Commerce, Canara Bank, Allahabad Bank, Indian Bank, Central Bank of India and UCO Bank are hereby quashed and set aside.

4. The Bureau of Immigration will ignore and not act upon any LOCs issued at the instance of State Bank of India, Punjab National Bank, Bank of Baroda, Union Bank of India, Syndicate Bank, Oriental Bank of Commerce, Canara Bank, Allahabad Bank, Indian Bank, Central Bank of

India and UCO 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 view of the disposal of the above Writ Petition any Interim Applications pending therein also do not survive and are disposed of accordingly.

[S. M. MODAK, J.]

[A. S. CHANDURKAR, J.]

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