

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

INTERIM APPLICATION NO.12271 OF 2024

IN

WRIT PETITION NO.12704 OF 2022

Sheela Abhay Lodha]
R/of Prabhadevi, Mumbai.] .. Applicant-Org. Petitioner

Versus

1. Union of India,]
Through Home Department, New Delhi]
2. The Commissioner (Immigration),]
Bureau of Immigration, New Delhi]
3. The Regional Passport Officer,]
Bandra-Kurla Complex, Mumbai]
4. Bank of Baroda,]
Asset Recovery Management Branch,]
Fort, Mumbai.]
5. Central Bank of India,]
Stressed Asset Management Branch,]
Nariman Point, Mumbai.]
6. Indian Bank (Erstwhile Allahabad Bank)]
Nariman Point, Mumbai] .. Respondents

Mr. Ankit Lohia with Mr. Ameet Naik, Mr. Abhishek Kale, Mr. Harish Khedkar and Ms. Antara Kulkarni, Advocates, i/by Naik Naik and Co., for the Applicant-Original Petitioner.

Mr. Y.R. Mishra with Mr. D.A. Dube and Mr. Upendra Lokegaonkar, Advocates for Respondent Nos.2 and 3.

Mr. Harish K. Raman, i/by Ms. Rathina Maravarman, Advocates for Respondent No.4.

Mr. Arsh Misra, Advocate for Respondent No.5.

Mr. Hafeezur Rahman, Advocate for Respondent No.6.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 6TH SEPTEMBER, 2024.

PC. :

1. Writ Petition No.12704 of 2022 that was preferred by the applicant-

original petitioner seeking quashing of the Look Out Circular/s issued by the respondent nos.4 to 6 - Banks came to be decided on 8th May 2024. In view of the order dated 12th August 2024 passed by the Supreme Court in Special Leave Petition Nos.17194-17230 of 2024 (*Union of India and Ors. Vs. Viraj Chetan Shah and Ors.*), the applicant-petitioner has moved the present application since it is apprehended that the applicant-petitioner could be prevented from travelling abroad without obtaining leave of the Court.

2. By this interim application, the applicant-original petitioner seeks leave to travel abroad between the period from 10th September 2024 to 24th September 2024. In the writ petition, interim orders were passed permitting the applicant-petitioner to travel abroad. It is not in dispute that the conditions imposed by the earlier orders have been complied with.

3. Considering that the applicant-petitioner is traveling to United States of America to facilitate admission of her child, leave is granted to the applicant-petitioner to travel United States of America between the period from 10th September 2024 to 24th September 2024 on the following conditions :

- (i) The applicant-original petitioner shall file an United undertaking in this Court setting out a detailed

itinerary of the above travel including the airline tickets, addresses of the hotels where she would be staying during the above travel, along with other contact details. This undertaking shall also state that the applicant-original petitioner shall return to India on or before 25th September 2024.

- (ii) The applicant-original petitioner shall also file another undertaking not to apply for renewal and/or extension of this order until she returns to India.
- (iii) Both the aforesaid undertakings shall be served on the Advocates for respondent nos.4 to 6-Banks before the date of departure.
- (iv) Considering that the applicant-petitioner is traveling to United States of America to facilitate admission of her child, within one week from 25th September 2024 she shall file a separate affidavit stating the expenses incurred by her during the above travel and the source/s of income used for funding the said expenses with necessary proof.

4. Since the Look Out Circulars issued at the instance of the

respondent nos.4 to 6 – Banks have already been quashed by the order dated 8th May 2024 passed in Writ Petition No.12704 of 2022, leave is granted to the applicant-petitioner to travel to United States of America to facilitate admission of her child on the conditions referred to hereinabove.

5. The Immigration Authorities at all Ports of Departure including all Airports will permit the applicant-original petitioner passage and allow her to take her flights out of the country on the basis of this order.

6. The Immigration Authorities shall not insist upon a certified copy of this order but will act on presentation of an authenticated or digitally signed copy of this order.

7. The interim application is disposed of in aforesaid terms. No costs.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]