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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.13478 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]
2. The Commissioner (Immigration),]
Bureau of Immigration, New Delhi]
3. The Regional Passport Officer,]
Bandra (East), Mumbai]
4. Bank of Baroda,]
Asset Recovery Management Branch]
5. Central Bank of India,]
Stressed Asset Management Branch]
6. Indian Bank, Nariman Point, Mumbai]
(Erstwhile Allahabad Bank)] .. Respondents

Mr. Surel Shah, Senior Advocate, with Mr. Abhishek Kale, Mr. Harish Khedkar, Mr. Nevil Chopra and Ms. Antara Kulkarni, Advocates, i/by Naik Naik & Co., for the Applicant-Original Petitioner.

Mr. Y.R. Mishra with Mr. D.A. Dube and Mr. S.T. Singh, Advocates for Respondent No.1-UOI.

Mr. Harish Raman, i/by Mrs. Rathina Maravarman, Advocates for Respondent No.4-BOB.

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 : 9TH OCTOBER 2024

PC. :

1. The applicant-original petitioner is facing Look Out Circular issued at the instance of respondent nos.4 to 6 – Banks.

2. By this interim application, the applicant-petitioner seeks leave to travel from Mumbai to Turkey for attending wedding of son of her family friend between the period from 11th October 2024 to 16th October 2024.

3. We have heard the learned counsel for the parties and we have perused the documents on record including the earlier orders passed by this Court by which the applicant-petitioner was permitted to travel abroad by imposing various conditions.

4. In the light of the fact that on various earlier occasions the applicant-petitioner was permitted to travel abroad, the last such order being passed on 6th September 2024 and that the applicant-petitioner has complied with the terms and conditions as also it is not the grievance of the respondent nos.4 to 6 - Banks that the conditions imposed by the earlier orders were flouted, we are inclined to grant such leave subject to the following conditions :-

- (i) The applicant-petitioner shall file an 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-petitioner shall return to India on or before 17th October 2024.

- (ii) The applicant-petitioner shall also file another undertaking stating that she would not apply for renewal and/or extension of this order until she returns to India.
- (iii) Both the aforesaid undertakings shall be served on the Advocate for respondent nos.4 to 6 – Banks before the date of departure.
- (iv) Considering that the applicant-petitioner is traveling to Turkey for attending a wedding of son of her family friend, the applicant-petitioner shall deposit an amount of Rs.50,00,000/- in this Court by 5.00 PM on 10th October 2024. On such deposit, the Registry shall invest the amount of Rs.50,00,000/- in a Fixed Deposit in a Nationalized Bank forthwith initially for a period of thirty days subject to further orders.
- (v) The applicant-petitioner shall file an affidavit indicating the expenses incurred by her during the above travel and the source/s of income used for funding the said expenses with necessary proof. This affidavit shall also be served on the Advocate for the respondent nos.4 to 6 - Banks within a period of one week from 17th October 2024.

5. The applicant-petitioner is permitted to travel from Mumbai to Turkey for attending a wedding of son of her family friend between the period from 11th October 2024 to 16th October 2024 on aforesaid conditions.

6. Subject to the above conditions, the Look Out Circular/s issued at the instance of respondent nos.4 to 6 - Banks against the applicant-petitioner are suspended upto 17th October 2024. It is clarified that this order does not apply to any other Look Out Circular and / or restraint order, if issued by any other Authority / Court / Agency / Bank.

7. The Immigration Authorities at all Ports of Departure including all Airports will permit the applicant-petitioner passage and allow her to take her flights out of the country irrespective of whether the respondent nos.4 to 6-Banks have notified them or not and irrespective of whether this suspension is noted in the Immigration Authorities' systems or otherwise.

8. 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.

9. Put up for further consideration on 21st October 2024 under the caption "For compliance".

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]