
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1132 OF 2024

Nimit Narendra Timbadia & Ors.

...Petitioners

Versus

Bank of Baroda & Anr.

...Respondents

Mr. Raj Patel *i/b. P. Kumar N. Jain, Advocate for Petitioners.*

Ms. Divya Bamne *i/b. A.R. Bamne & Co., Advocate for Respondent No.1.*

Mr. Mohamedali M. Chunawala *with D.A. Dubey, Advocates for Respondent No.2-Union of India.*

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

DATE : MAY 02, 2024

P. C.

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

“a) that this Hon’ble Court be pleased to issue a writ of Mandamus and/or a writ, order or direction directing Respondent No.1 bank to forthwith withdraw/quash, set aside the Look-out Circular imposed upon the Petitioners.

b) that this Hon’ble Court be pleased to quash and set aside Look out

circular and the travel ban imposed on the Petitioners and that the Petitioners be permitted to travel abroad.”

2. We find that the issue raised in the above Writ Petition is squarely covered by the decision of a Division Bench of this Court in the case of Viraj Chetan Shah Vs. Union of India through the Ministry of Home Affairs & Anr.¹

3. In these circumstances, the Petition succeeds and the Look Out Circular issued against the Petitioners 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 LOC issued by Bank of Baroda against the present Petitioners. All databases will be updated accordingly. We direct the Bureau of Immigration 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 or 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

1 Writ Petition No.719 of 2020 & connected matter decided on 23rd April, 2024.

LOC cannot and will not affect such orders.

6. The Writ Petition is disposed of in the aforesaid terms. However, there shall be no order as to costs.

7. In view of disposal of the above Writ Petition, any Interim Applications filed therein, do not survive 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.]