

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

WRIT PETITION NO.3562 OF 2024

1. Rajesh Gaurishankar Poddar	]	
2. Anju Rajesh Poddar	]	
3. Manish Om Prakash Garg	]	.. Petitioners

Versus

1. Bureau of Immigration,	]	
Ministry of Home Affairs, New Delhi.	]	
2. Union of India,	]	
Through Ministry of Home Affairs, Mumbai	]	
3. State Bank of India, Colaba, Mumbai	]	.. Respondents

Ms. Radhika Nair, i/by Ms. Keertana Nair, Advocates for the Petitioners.
Mr. Ishan Gambhir, Advocate, i/by Indialaw, for Respondent No.3.

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

DATE : 30TH JULY, 2024.

PC. :

1. The above writ petition is filed seeking the following reliefs :

“(a) That this Hon’ble Court be pleased to quash and set aside the applicability of the Look Out Circular issued by the respondent no.3 as mentioned in the WDIC and WRDC Orders;

(b) That this Hon’ble Court be pleased to issue a Writ of Certiorari or any other writ in the nature of Writ of Certiorari thereby calling for all the documents relating to the records pertaining to the said Look Out Circular and Travel Ban imposed by the respondent nos.1 and 2 at the instance of respondent no.3 and to thereafter examine the same and quash the illegal and invalid Look Out Circular and travel ban against the

petitioners;

- (c) That this Hon'ble Court be pleased to issue a Writ of Prohibition or a writ in the nature of Writ of Prohibition or any other appropriate writ, direction or order under Article 226 of the Constitution of India restraining the respondents, their subordinates, officers, servants and agents from taking any steps in furtherance of the Look Out Circular against the petitioners and prohibiting them or any of them from restraining the international travel of the petitioners;
- (d) That pending the hearing and final disposal of this Petition, this Hon'ble Court be pleased to stay the Look Out Circular and the Travel Ban placed on the petitioners;
- (e) Any interim or ad-interim reliefs be granted in terms of (c) and (d) above."

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 and Anr., (Writ Petition No.719 of 2020, along with connected matter, decided on 23rd April 2024)*. There is no affidavit-in-reply filed by the respondents denying the averments made in the writ petition.

3. In these circumstances, the petition succeeds and the Look Out Circular (*LOC*) issued against the petitioners at the instance of State Bank of India is hereby quashed and set aside.

4. The Bureau of Immigration will ignore and not act upon any LOC issued by State Bank of India against the present petitioner. All database 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 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. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]