

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

WRIT PETITION (L) NO. 2814 OF 2024
WITH
INTERIM APPLICATION NO. 1142 OF 2024
IN
WRIT PETITION (L) NO. 2814 OF 2024

Bhagwanbhai K. Kajavadra

...Petitioner/
Applicant

Versus

Bureau of Immigration & Ors

...Respondents

Mr. Yash Jain, a/w *P. Ranjan & Santosh Salekar, i/b Halai & Co.,
Advocates for the Petitioner.*

Mr. Arjun Gupta, *Advocate for Respondent No.1.*

Mr. A.R. Bamne, i/b *A.R. Bamne & Co., Advocates for
Respondent No.2.*

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

DATE : APRIL 29, 2024

PC :

1. The above Writ Petition is filed *inter alia* seeking to quash and set aside the Look Out Circular (“LOC”) issued at the instance of Bank of Baroda restraining the Petitioner/Applicant from traveling abroad.

2. We find that the issue raised in the present Writ Petition is squarely covered by a Division Bench judgment of this Court in the case of *Viraj Chetan Shah Vs. Union of India Through The Ministry of Home Affairs & Anr.* (in Writ Petition No. 719 of 2020 decided on 23rd April, 2024).

3. In these circumstances, we find that the above Petition succeeds and the LOC issued at the instance of Bank of Baroda against the Petitioner/Applicant is hereby quashed and set aside.

4. The Bureau of Immigration will ignore and not act upon any LOCs issue by Bank of Baroda against the present Petitioner. 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, 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. Since the Writ Petition succeeds, any Interim Applications filed therein, do not survive and the same are disposed of accordingly.

7. 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.]