



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

JIL APPLICATION (CAW) No.2398/2024 IN WRIT PETITION NO. 952/2023

Shyamal s/o Jaidev Panchmatia Vs. Union of India and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. A.S.Jaiswal, Senior Advocate assisted by Mr. Abhishek Kapoor, Advocate for petitioner.
Mr. Nandesh Deshpande, Deputy Solicitor General of India for respondent no.1.
Mr. S.D.Ingole, Advocate for respondent no.3.

CORAM : NITIN W. SAMBRE & ABHAY J. MANTRI, JJ.
DATE : SEPTEMBER 18, 2024.

Heard.

2. For the reasons disclosed in the application, same is allowed.
Amendment to be carried out forthwith.

Writ Petition No.952/2023

3. It is not in dispute that the look-out Circular was issued against the petitioner at the behest of the respondent no.3-Bank.

4. The issue in this factual background were for consideration of this Court in the matter of *Viraj Chetan Shah Vs. Union of India and connected matters in Writ Petition No. 719 of 2020 with connected matters reported in 2024 SCC OnLine Bom 1195*.

5. This Court has already held that the respondent no.3-bank has no authority to ask for issuance of lookout Circular.

6. It is also brought on record that the petitioner and the respondent no.3-bank has already arrived at a settlement as the dues of the respondent no.3-Bank is already cleared by the petitioner.

7. In that view of the matter, we are of the view that the look-out Circular issued at the behest of the respondent no.3 shall not be acted upon and be given effect to against the petitioners for all practical purposes qua the claim made by the respondent no.3-Bank.

8. In response to the Court's query, the counsel for the respondent no.3-Bank submits that appropriate request for withdrawal of the look out Circular issued by respondent nos.1 and 2 shall be moved within a period of one week. If such request is moved, the respondent nos.1 and 2 shall take decision within a period of four weeks on receipt of the same and communicate its decision to the petitioner.

Civil Application (CAW) No.2114/2024

9. In view of the aforesaid order, Civil Application is not pressed.

Civil Application (CAW) No. 2397/2024

10. In view of the aforesaid order, Civil Application is not pressed. Liberty to approach this Court, if the cause arises.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)