

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

WRIT PETITION NO. 4909 OF 2024
WITH
INTERIM APPLICATION (L) NO. 38182 OF 2025
IN
WRIT PETITION NO. 4909 OF 2024

Mr. Vishal Shamlal Chhabria Petitioner

V/s.

The Union of India and Ors. Respondents

Mr. R.D. Soni a/w. Ms. Faiza Dhanani i/b. CUE Legal for the Petitioner.

Mr. Soham Badole i/b. Mr. Pawan Patil for Respondent No.1.

Ms. Fatima Lakdawala, AGP for Respondent No.2.

Ms. Akshaya Puthran a/w. Mr. Ankur Singhi i/b. S.K. Singhi and Partners
LLP for Respondent No.3 – Bank of Baroda.

CORAM : BHARATI DANGRE &
SHYAM C. CHANDAK, JJ.

DATED : 26th NOVEMBER, 2025

P.C. :-

. The Petition seek the following reliefs :-

“ (a) That this Hon’ble Court be pleased, by exercising its powers under section 226 of the Constitution of India, 1950, to issue a Writ of Mandamus or a writ in the nature of Mandamus or any other appropriate writ, order or direction declaring the Office Memoranda bearing nos. F.No./6/3/2018-B.O.II (Exhibit A herein) and F.No.25016/10/2017 (Exhibit B herein) dated 4th October 2018 and 12th October 2018, both, issued by the Respondent No.1 as ultra vires to Articles 14, 19 and 21 of the Constitution of India 1950.

(b) That this Hon’ble Court be pleased to issue Writ of Certiorari or a writ in the nature of Certiorari or any other

appropriate writ, order or direction calling for the records of the Petitioner's case and after looking into the legality and propriety of the LoC, to quash and set aside the travel ban and the LoC issued by the Respondent No.3 against the Petitioner. ”

2) Since this very issue of the power in the Bank to take out Look Out Circular proceedings was subject matter of a group of Petitions before the Division Bench of this Court which came to be decided in ***Viraj Chetan Shah v/s. Union Of India & Anr. and connected matters in Writ Petition (OS) No.719 of 2020 vide Judgment dated 23rd April, 2024***, we do not deem it necessary to adjudicate upon the reliefs sought in the Petition. We have also informed that the judgment of the Division Bench is subjected to challenge before the Apex Court in Special Leave Petition (C) Nos.17194-17230/2024 which is pending.

3) In the wake of the aforesaid, the Petition is made absolute in terms of prayer clauses (a) and (b). However, it is made clear that in the terms of the Order of the Apex Court, in case the Petitioner is desirous of travelling abroad, he shall seek appropriate permission.

4) At this stage, the learned Counsel appearing for the Petitioner has tendered an Interim Application with a categorical statement that the same is affirmed but not yet filed as he seek permission to travel abroad as per the itinerary (Exhibit-B) annexed to the Interim Application.

5) We direct the Interim Application to be filed during the course

of the day in the Registry.

6) We have perused the Application along with the Schedule for travel annexed at Exhibit – B where the Petitioner is desirous of travelling on 01/12/2025 to London, United Kingdom with his scheduled return on 09/12/2025 in Mumbai.

The said Application deserve to be entertained in the wake of the interim directions issued by the Apex Court in Special Leave Petition (C) Nos.17194-17230/2024 and since the Petitioner is engaged in the business of the Imports and Exports of the dry fruits and spices and he is required to travel for multiple trade fairs and business purpose pursuant to the Applications being made before the Court, the Applications were allowed and he had travelled abroad in the past.

7) In the wake of the aforesaid, we deem it appropriate to allow the Application by granting permission to the Petitioner/Applicant to travel strictly in accordance with the Schedule for travel - Exhibit-B. This will, however, be subject to the following stipulation :-

(a) He shall forward the travel plan to the Bank of Baroda via e-mail within a period of 24 hours from today.

(b) He shall file an undertaking in the Registry of this Court and also forward a copy thereof to the Bank of Baroda stating that he shall strictly abide by the itinerary and return back

to India on 09/12/2025.

(c) He shall furnish contact numbers and the address of two of his close relatives in India who can be contacted if there is any breach of stipulation by the Petitioner.

(d) Upon returning back, the Applicant shall forward an e-mail to the Bank intimating it about his return.

8) Writ Petition and Interim Application (L) No.38182 of 2025 stands disposed of. Pending Application(s) also stand disposed of in view of the disposal of the Writ Petition.

(SHYAM C. CHANDAK, J.)

(BHARATI DANGRE, J.)

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JAYANI

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