



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-2516-CWP-2025 in/and
CWP-13713-2024**

Date of Decision : **19.02.2025**

RAKESH NAYAR

.....Petitioner

VERSUS

UNION OF INDIA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Akhilesh Vyas, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Ms. Sangeeta Srivastava, Advocate,
for respondent no.1-UOI.

Ms. Manvi Arora, Advocate with
Mr. Rakesh Gupta, Advocate,
for respondent no.2-Bank.

KULDEEP TIWARI. J.(Oral)

CM-2516-CWP-2025

The instant application has been filed on behalf of the petitioner for getting permission to travel abroad as the bank has wrongly issued look out circular.

With the consent of all the parties concerned, instead of deciding the instant application, main case is taken on board for its final disposal today itself.

Ordered accordingly.

CWP-13713-2024

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon respondent no.1 to place on record the Look Out Circular (LOC) issued against the present petitioner on the asking of respondent no.2-Bank, and thereupon, quash the same, as the same is in violation of his Fundamental Rights.

2. Learned Additional Solicitor General of India, appearing on behalf of respondent no.1-UOI, informs this Court that earlier LOC against the petitioner was issued on dated 28.08.2023, at the request of Chairman, State Bank of India, which has now been withdrawn, and therefore, the cause of action does not survive.

3. Learned counsel appearing on behalf of respondent no.2-Bank, informs this Court, that as on date, there is no criminal case pending against the present petitioner. He although not disputing the aforesaid factual submission, as made by learned Additional Solicitor General of India, that LOC has been withdrawn by the authority concerned, in view of the judgment passed by the Bombay High Court in “**Viraj Chetan Shah vs. UOI and others**”, 2024 (2) MLJ (Criminal) 575. He further apprised this Court that the said judgment is under challenge before the Hon'ble Supreme Court, however, he is unable to dispute the fact that, as on date, LOC stands withdrawn.

4. In view of the above specific statement, as suffered by learned Additional Solicitor General of India, the instant petition is ordered to be **dismissed as having been rendered infructuous**.

February 19, 2025*dharamvir***(KULDEEP TIWARI)
JUDGE**

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No