IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2436 OF 2026
IN
CIVIL WRIT PETITION NO.4356 OF 2021

Rihen Harshad Mehta .....Applicant

In the matter between

Rihen Harshad Mehta .....Petitioner

Versus

Union of India
and others .....Respondents

Mr. Anoshak Davar, Advocate a/w. R. Rajpal, Ms. Archi Gala, Lavnish Kumar Sharma i/b. VMH and Associates for the Applicant

Mr. D.P. Singh, Counsel for the Respondent No.1 – UOI.

Mr. Harsh Sheth, Advocate i/b. MDP Legal for the Respondent No.4.

Mr. A.I. Patel, Additional G.P. a/w. A.A. Alaspurkar, AGP for the Respondent – State.

CORAM : SARANG V. KOTWAL &
SANDESH D. PATIL, JJ.

DATE : 23rd APRIL, 2026

P.C. :

1. This is an application preferred by the Applicant for permission to travel to USA and Europe between 23.5.2026 to 31.7.2026.

2. Heard Mr. Anoshak Davar, learned counsel for the Applicant, Mr. D.P. Singh, learned Counsel for the Respondent No.1 – UOI, Mr. Harsh Sheth, learned counsel for the Respondent

No.4 and Mr. A.I. Patel, learned Additional G.P. for the Respondent – State.

3. The Look Out Circular was issued against the Applicant at the instance of the Respondent No.4 Bank of Baroda. The Applicant had challenged the Look Out Circular by preferring Writ Petition No.4356/2021. It was decided with a batch of Petitions by a Division Bench of this Court vide the judgment and order dated 23.4.2024. The Respondents in all those Petitions has challenged that judgment and order before the Hon'ble Supreme Court vide Special Leave to Appeal (C) Nos.17194-17230 of 2024. Those SLPs are pending before the Hon'ble Supreme Court. However, the Hon'ble Supreme Court had observed that pending consideration of those Special Leave Petitions on the interim stay, the original Writ Petitioners before the High Court are required to seek permission from the High Court in the event they wish to travel abroad. If such applications are filed before the High Court in the disposed of Writ Petitions the same are directed to be considered and disposed of expeditiously. Pursuant to the said liberty, the Petitioner has preferred this Application.

4. Learned counsel for the Applicant invited our attention to Exhibit-B of this Application wherein it is mentioned that the Applicant was engaged on a consultancy basis by FRHueb Inc., a company registered under the laws of USA having headquarter in New York City. Pursuant to his role and the strategic nature of his responsibilities, he was requested to travel to United States to attend client meetings, engage in strategic business discussions etc.; and to Europe to attend potential client meetings and engage in strategic business discussions with key stakeholders. He was required to be physically present for the above official company assignments between 23.5.2026 to 31.7.2026. All the expenses for travel and accommodation as well as incidental costs for the Applicant are to be borne by the said company.

5. Learned counsel for the Applicant submitted that in the past he was permitted to travel abroad and on many occasions vide different orders passed by different Division Benches of this Court referred to the orders dated 25.11.2025, 30.3.2022, 8.9.2022, 20.10.2022, 9.3.2023, 26.4.2023,

27.6.2023, 17.10.2023, 19.12.2023 and 27.5.2025. On the last occasion he was permitted to travel abroad vide order dated 25.11.2025 passed by another Division Bench in Interim Application No.11902/2025 in Writ Petition No.4356/2021. Said order records the strong objection raised by the Respondent Bank.

6. On the present occasion also the Respondent No.4 Bank opposed grant of relief. In this situation, by way of abundant precaution, we had asked the Applicant to file additional affidavit to show his bonafides. Accordingly he has tendered the affidavit dated 8.4.2026 in which he has mentioned that to establish his bonafides he was placing on record before this Court the Share Certificate No.9 issued by Vijay Deeep Cooperative Housing Society Limited in respect of flat bequeathed to his wife Mrs. Deepika Mehta. In the affidavit it is mentioned that the presence of his wife and children in Mumbai, in itself, is the strongest possible guarantee that he shall return to India upon completion of his proposed travel. The affidavit is taken on record and is accepted.

7. Learned counsel for the Applicant has stated that he would deposit the original Share Certificate and the original Probate with the Registry of this Court with a request that it shall be returned to him on his return to India. We, thus, find that there is sufficient security provided by the Applicant and he has established his bonafides for his travel to USA and Europe. The last order dated 25.11.2025 is also significant. The said order was not challenged by the Respondent No.4 Bank. They had submitted to the orders of the Court. Therefore, on this occasion also, we do not deem it proper to take a different view. Hence, we are inclined to allow this Application with certain conditions.

8. Hence, the following order:

:: O R D E R ::

i. The Applicant is permitted to travel to USA and Europe between 23.5.2026 to 31.7.2026 on the following conditions:

a) The Applicant shall deposit the original Share Certificate of the housing society of the flat in the name of his wife and the original Probate, before the Registry of this Court within a period of two weeks from today.

On his return to India, the Registry shall hand over those documents to the Applicant on his establishing his identity to the satisfaction of the Registry.

b) The Petitioner shall furnish the telephone numbers, addresses and contact numbers to the learned counsel for the Respondent No.4 Bank within a period of two weeks from today.

c) He shall file an affidavit before this Court within a period of two weeks from today stating that he shall not make any application for extension of this permission on this occasion and that he shall return to India on or before 31.7.2026.

ii. Once, the aforesaid conditions are fulfilled, the Applicant is permitted to travel to USA and Europe between 23.5.2026 to 31.7.2026.

iii. Interim Application is disposed of accordingly.

(SANDESH D. PATIL, J.) (SARANG V. KOTWAL, J.)

Deshmane (PS)

PRADIPKUMAR PRAKASHRAO DESHMANE
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Date: 2026.04.24 17:14:03 +0530