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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7207/2024**

**SHRI DEEPAK SINGHAL**

..... Petitioner

Through: Mr. Ravi Sikri, Sr. Advocate with Mr. Deepank Yadav, Ms. Kanak Grover and Mr. Nachiket Chawla, Advocates.

versus

**UNION OF INDIA THROUGH MINISTRY OF HOME AFFAIRS & ORS.**

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC with Mr. Abhigyan Siddhant, GP and Mr. Abhay Singh, Advocate for R-1,3 and 5.

Mr. Arun Aggarwal, Mr. Shivam Saini and Mr. Praful Rawat, Advocates for R-4.

Ms. Kaveri Sharma and Mr. Kartik Mukhija, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

% **20.05.2024**

**CM APPL. 30080/2024 (Exemption)**

Allowed, subject to all just exceptions.

**W.P.(C) 7207/2024 & CM APPL. 30079/2024**

1. Petitioner has approached this Court challenging the Look Out Circular opened against him at the instance of Bank of Baroda for the reason that the Petitioner stood guarantee for one Mahesh Timber Private Limited for availing loan from a consortium of banks, including the Bank of Baroda.
2. It is stated by the learned Counsel for the Petitioner that the default



has been committed by Mahesh Timber Private Limited against which the proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 have been initiated. It is the case of the Petitioner that in view of the fact that an alternative efficacious remedy is available to the Banks and in view of the Judgment passed by the Division Bench of the High Court of Bombay vide its Judgment dated 23.04.2024 in Viraj Chetan Shah v. Union of India & Anr., **W.P.(C)719/2020** quashing Clause 8(b)(xv) of the Office Memorandum dated 27.10.2010 bearing O.M. 23016/31/2010-Imm. equivalent to Clause 6(B)(xv) of the O.M. dated 22.02.2021 bearing O.M. 25016/10/2017-Imm.(Pt.) whereby the Chairman/Managing Director/Chief Executives of all Public Sector Banks could request for opening of an LOC, the LOC against the Petitioner cannot be permitted to be sustained.

3. Issue Notice.
4. Learned Counsels for Respondents accept notice and seek some time to file a reply.
5. Let the reply be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.
6. List on 07.08.2024.
7. Liberty is given to the Petitioner to move an application in case the Petitioner intends to travel abroad.

**SUBRAMONIUM PRASAD, J**

**MAY 20, 2024**

*Rahul*