

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

WRIT PETITION (LODGING) NO.14515 OF 2025

Manish Divyakant Simaria, ]  
R/of Surat, Gujarat ] .. **Petitioner**  
*Versus*  
1. Union of India, ]  
Through Ministry of Home Affairs ]  
2. Bureau of Immigration, ]  
Through Ministry of Home Affairs ]  
3. New India Co-operative Bank Ltd., ]  
Prabhadevi, Mumbai ]  
4. New India Co-operative Bank Ltd., ]  
Goregaon, Mumbai ]  
5. Economic Office Department, ]  
Through Sr. P.I., D.N. Road, Mumbai ]  
6. State of Maharashtra, ]  
Through Dadar Police Station, Mumbai ] .. **Respondents**

Mr. Aabad Ponda, Senior Advocate (through V.C.) with Ms. Jindagi Shah, Mr. Ishaan Patkar and Mr. Husen Shaikh, Advocates, i/by Alaksha Legal, for the Petitioner.

Mr. D.P. Singh, Advocate for Respondent No.1.

Ms. Pooja Patil, Assistant Government Pleader for Respondent Nos.5 and 6.

**CORAM : A.S. CHANDURKAR &  
DR. NEELA GOKHALE, JJ**

**DATE : 9<sup>TH</sup> MAY 2025.**

**PC. :**

1. In this writ petition the issuance of a Look Out Circular against the petitioner at the behest of the respondent no.5 is under challenge.

2. We find that the issues raised in the above writ petition are squarely covered by the decision of a Division Bench of this Court in the case of

*Viraj Chetan Shah Vs. Union of India, through the Ministry of Home Affairs and Anr., (Writ Petition No.719 of 2020, along with connected matter, decided on 23<sup>rd</sup> April 2024)* wherein challenge to the authority of creditors to seek issuance of Look Out Circulars was under challenge. It is common ground that the aforesaid judgment dated 23<sup>rd</sup> April 2024 is the subject matter of challenge before the Supreme Court in Special Leave Petition Nos.17194-17230 of 2024 (*Union of India and Ors. Vs. Viraj Chetan Shah and Ors.*). In view of the order dated 12<sup>th</sup> August 2024 passed by the Supreme Court in the aforesaid Special Leave Petitions, the petitioner seeks leave to travel from Surat to Dubai for business purpose between the period from 10<sup>th</sup> May 2025 to 24<sup>th</sup> May 2025.

3. We have heard learned counsel for the parties and we have perused the documents on record. In view of the averments made in the writ petition, for the present we are inclined to grant such leave to the petitioner.

4. Accordingly, the petitioner is permitted to travel to Dubai for business purpose between the period from 10<sup>th</sup> May 2025 to 24<sup>th</sup> May 2025 on the following conditions :

- (i) The petitioner shall file an undertaking in this Court setting out a detailed itinerary of the above travel including the airline tickets, addresses of the hotels

where he would be staying during the above travel, along with other contact details. This undertaking shall also state that the petitioner shall return back to India on or before 25<sup>th</sup> May 2025.

(ii) The petitioner shall also file another undertaking not to apply for renewal or extension of this order until he returns back to Surat, Gujarat.

(iii) Both the aforesaid undertakings shall be served on the Advocates for the respondents before the date of departure.

(iv) Within one week from 25<sup>th</sup> May 2025, the petitioner shall file a separate affidavit setting out the expenses incurred by him during the above travel and the source/s of income used for funding the said expenses. This affidavit shall also be served on the Advocates for the respondents within a period of one week from 25<sup>th</sup> May 2025.

5. It is clarified that this order does not apply to any other Look Out Circular and/or restraint order, if issued by any other Authority/Court/Agency/Bank.

6. The Immigration Authorities at all Ports of Departure including all

Airports will permit the petitioner passage and allow him to take his flights out of the country irrespective of whether the respondents have notified them about the said suspension or not and irrespective of whether this suspension is noted in the Immigration Authorities' systems or not.

7. The Immigration Authorities shall not insist upon a certified copy of this order but will act on presentation of an authenticated or digitally signed copy of this order.

8. List for reporting compliance on 11<sup>th</sup> June 2025.

[ DR. NEELA GOKHALE, J. ]

[ A.S. CHANDURKAR, J. ]