

(2021) 12 BOM CK 0156
In the Bombay High Court
Case No : Writ Petition No. 3134 Of 2021

Niraj Gul Bijlani

APPELLANT

Vs

State Of Maharashtra And Anr

RESPONDENT

Date of Decision : 30-12-2021

Acts Referred:

Citation : (2021) 12 BOM CK 0156

Hon'ble Judges : S. J. Kathawalla, J; Milind N. Jadhav, J

Bench : Division Bench

Advocate : Ishwar Nankani, Rhea Sinkar, Nankani, H.J. Dedhia, Bhairavnath Patil

Judgement

1. Heard the learned Advocates appearing for the respective parties.
2. The Petitioner was earlier permitted to travel by the Order dated 15th November, 2021 of this Court (Coram : Nitin Jamdar and Sarang V. Kotwal, JJ.). On return the Petitioner remained present before this Court on 22nd December, 2021 and filed his Affidavit dated 22 nd December, 2021, which facts have been recorded in the Order dated 22nd December, 2021 by this Court (Coram : Nitin Jamdar and Sarang V. Kotwal, JJ.). By the said Order, this Court had permitted the Petitioner to approach the Vacation Court which has been done by the Petitioner vide his Advocate's praecipe dated 27th December, 2021.
3. Mr. Nankani submits that the Petitioner intends to leave Mumbai on 31st December, 2021. Hence, we pass the following order:
 - (a) The LOC in question will not come in the way of the Petitioner going overseas from 31st December, 2021;
 - (b) The Petitioner must furnish to the Respondent No.2 his overseas travel details, his residence and work addresses, email address and contact

numbers;

(c) The Immigration Authorities at Mumbai Airport will permit the Petitioner to pass through immigration and to board his flight irrespective of

whether the immigration system has been updated and Respondent No.2 has informed the Immigration Authorities or not.

4. We accept the Petitioner's undertaking to return to India within 15 days of receiving summons / notice from Respondent No.2 and appear before

Respondent No.2.

5. Respondent No.2 will immediately inform the Immigration Authorities to update the system so that the necessary instructions can be issued. Even if

the Respondent No.2 fails to do so, the Immigration Authorities will, on production of an authenticated copy of this Order and without insisting on a

certified copy, permit the Petitioner to travel as above.

6. In the meantime, the operation of the Look Out Circular, whether currently valid or auto-renewed, is stayed.

7. All concerned will act on production of a digitally signed copy of this order.

8. Liberty to apply.