

**(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

THURSDAY, THE THIRD DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

**:PRESENT:**

**THE HON'BLE SRI JUSTICE C.V. BHASKAR REDDY  
WRIT PETITION NO: 27639 OF 2024**

**Between:**

Parvathareddy Lakshmi Sruthi, W/o. P.Chakradhar Reddy,

Petitioner

**AND**

1. Union of India, Department of Home Affairs, New Delhi, represented by its Secretary
2. Central Bureau of Investigation, (Banking, Securities and Fraud Branch) 2<sup>nd</sup> Floor, CBI Complex, 36 Bellari Road, Bengaluru, represented by its Director
3. Union Bank of India., Regional Office, 2<sup>nd</sup> Floor, Prestige Rai Towers, Ptmjagutta, Hyderabad, represented by its Deputy General Manager
4. Union of India, Department of External Affairs, Represented by its Secretary, Central Secretariat, New Delhi

Respondents

WHEREAS the Petitioner above named through her Advocate Sri N.Sreedhar Reddy, presented this Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the Look Out Circular on the file of the 2<sup>nd</sup> Respondent herein issued against the petitioner prohibiting the petitioner from leaving the country on the ground of registration and pendency of complaint vide FIR Rc. No. 4(E) /2019 dated 3/6/2019 and continuing the same even as on date as wholly illegal, arbitrary, without jurisdiction and violative of Art. 21 of the Constitution of India and to consequently direct the 2<sup>nd</sup> Respondent to forthwith withdraw the above Look Out Notice issued against the petitioner and permit her to travel abroad without any restrictions; Award costs;

AND WHEREAS the High Court upon perusing the petition and affidavit filed therein, and upon hearing the arguments of Sri N.Sreedhar Reddy, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Department of Home Affairs, Union of India, New Delhi.
2. The Director, Central Bureau of Investigation, (Banking, Securities and Fraud Branch) 2<sup>nd</sup> Floor, CBI Complex, 36 Bellari Road, Bengaluru.
3. The Deputy General Manager, Union Bank of India, Regional Office, 2<sup>nd</sup> Floor, Prestige Rai Towers, Ptmjagutta, Hyderabad.

4. The Secretary, Union of India, Department of External Affairs, Central Secretariat,  
New Delhi

are directed to show cause on or before 30-10-2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 1 OF 2024:**

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to issue interim directions to the Respondents to forthwith allow the petitioner to undertake travel to Switzerland by suspending the Look Out Circular issued by the 2<sup>nd</sup> Respondent in connection with FIR Re. No. 4(E)/2019, pending disposal of W.P. No. 27639 of 2024, on the file of the High Court.

**The Court made the following: ORDER:**

**Notice before admission.**

Sri N.Bhujanga Rao, learned Standing Counsel takes notice for respondent Nos.1 and 4 and seeks time to get instructions. Sri Srinivas Kapatia, learned Standing Counsel takes notice for respondent No.2. Ms.V.Dyumani, learned Standing Counsel takes notice for respondent No.3 and seeks time to file counter-affidavit.

The case of the petitioner is that she is Non-Executive Director of Minerva Executive Apartment Private Limited (hereinafter referred to as "the Company"), which was taken up the construction of service apartments at White Fields, Bengaluru in the year, 2007 and she is not involved in the day-to-day activities of the company. It is further case of the petitioner that in the year, 2013 the company had obtained loan from respondent No.3 for construction of service apartments and the said loan account has become Non Performing Asset and respondent No.3 filed a petition *vide* CP (IB) No.524/7/HDB/2018 and the same was disposed of by the National Company Law Tribunal, Hyderabad, *vide* order, dated 24.11.2023. It is the further case of the petitioner that simultaneously, respondent No.3 also lodged a complaint against the company and its directors, including the petitioner and the said complaint was registered as F.I.R.No.04(E) of 2019 for the offences under Sections 406, 420, 468 and 471 read with 120-B of I.P.C. After completion of investigation a charge sheet has been filed and the trial is not yet commenced.

Sri N.Sreedhar Reddy, learned counsel appearing for the petitioner, has vehemently contended that Look Out Circular (LOC) was issued against the petitioner basing on the request made by the Originating Agency i.e., respondent No.3-bank. In

view of quashing of Clause 8(b)(xv) of the OM 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.) by the Hon'ble High Court of Bombay in *Viraj Chetan Shah vs. Union of India Through the Ministry of Home Affairs and another*<sup>1</sup>, the LOC issued against the petitioner is liable to be set aside. It is further submitted that issuing LOC to prevent the petitioner from travelling abroad is an arbitrary exercise of power, abuse of authority and violative of fundamental rights of the petitioner guaranteed under Article 14, 19(1)(g) and 21 of the Constitution of India.

Pending examination of the issues raised in this writ petition, there shall be interim suspension of the Lookout Circular issued against the petitioner, for a period of two (02) months, subject to the following conditions:

- i) That the petitioner shall furnish details of her travel itinerary to the respondents before departure from India and shall intimate the same upon her arrival.
- ii) That the petitioner shall give the details of her stay in countries, where he intends to travel.

List on 30.10.2024.

//TRUE COPY//

Sd/-MOHD. ISMAIL  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Department of Home Affairs, Union of India, New Delhi.
2. The Director, Central Bureau of Investigation, (Banking, Securities and Fraud Branch) 2<sup>nd</sup> Floor, CBI Complex, 36 Bellari Road, Bengaluru.
3. The Deputy General Manager, Union Bank of India, Regional Office, 2<sup>nd</sup> Floor, Prestige Rai Towers, Ptanjagutta, Hyderabad.
4. The Secretary, Union of India, Department of External Affairs, Central Secretariat, New Delhi (Addressees 1 to 4 BY RPAD along with a copy of petition and affidavit)
5. Four CCs to Sri N. Sreedhar Reddy, Advocate (OPUC)
6. One Spare Copy

<sup>1</sup> 2024 SCC Online Bom 1195

HIGH COURT

CVBR,J

DATE: 03-10-2024

NOTE: POST ON 30-10-2024

NOTICE BEFORE ADMISSION

WP. NO. 27639 OF 2024

INTERIM SUSPENSION

