

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(@ SLP(C) No.25843/2026)

RAJESH K. MEHTA

APPELLANT(s)

VERSUS

HDFC BANK LIMITED

RESPONDENT(S)

WITH

CIVIL APPEAL NO. OF 2026
(@SLP(C) No(s).28456/2026)

O R D E R

1. Leave granted.
2. Two sets of appeals are placed before us for consideration.
Civil Appeal @ SLP (C) 25843/2026 is filed by the appellant - Rajesh K. Mehta, aggrieved over the condition imposed by the High Court, while granting permission to travel abroad and Civil Appeal @ SLP (C) 28456/2026 has been filed by the appellant-Lilavati Kirtilal Mehta Medical Trust (for short, 'the Trust') after seeking leave, since the said appellant was not a party before the High Court.
3. These appeals before us lie on a very narrow compass.
4. By way of the impugned order dated 16.07.2026 passed by the High Court of Judicature at Bombay, the High Court granted permission to the appellant-Rajesh K. Mehta, to travel abroad for a period of 120 days, subject to certain conditions,

including a monetary condition of depositing a sum of Rs.7,50,00,000/- (Rupees seven crores and fifty lakhs) as an additional security.

5. Dr. Abhishek Manu Singhvi, learned Senior counsel and Mr. Devdatt Kamat, learned Senior counsel appearing for the appellant - Rajesh K. Mehta submit that the Recovery Officer, Debts Recovery Tribunal (for short, 'DRT') No. II, Mumbai, himself has modified the earlier order dated 25.10.2023, by withdrawing the arrest warrant vide order dated 22.07.2025 and all other travel restrictions imposed on the appellant. Therefore, in law, there is no bar. The reason why the appellant has filed the interim application before the High Court to travel abroad, was due to the reason that the respondent - HDFC Bank, by placing reliance upon the previous order, had raised an objection before the Immigration Authorities. The said situation no longer prevails. The mere fact that the order enuring to the benefit of the appellant has been challenged and is pending consideration in a writ petition, cannot be a ground to impose the condition of depositing a sum of Rs.7,50,00,000/- as an additional security.
6. The appellant has already shown his *bonafides* in the past by returning to India, after making frequent visits abroad. His family resides in Belgium and he has already previously deposited a sum of Rs.7,50,00,000/- and, in fact, a total sum of Rs.12 Crores has been deposited or paid so far. All the

properties of the appellant have been secured and the other conditions imposed by the High Court in the impugned order, would be sufficient.

7. In such view of the matter, the condition imposed to deposit an additional security amount will have to be set aside, particularly, when there are no criminal proceedings pending against the appellant - Rajesh K. Mehta.
8. The learned Senior counsel appearing for the respondent - Bank would submit that it is a case where the appellant - Rajesh K. Mehta has not placed the correct facts before this Court. Therefore, there is no need to entertain the present appeal seeking grant of the relief sought for. The High Court did take into consideration the equities, and has passed the impugned order. It is not factually correct to state that the properties are available for sale and have been encumbered in one way or other. Considering the facts governing, especially, the pendency of the Writ Petition No.3802/2025 challenging the order(s) passed by the Recovery Officer, DRT-II, Mumbai, there is no need for interference with the impugned order. Additionally, it is prayed that taking note of the facts, the very order passed by the High Court will have to be set aside.
9. We have heard the learned counsel appearing for the parties and perused the records.
10. It is not in dispute that the appellant did make frequent travels abroad and returned back to India. He is also not a flight risk. These two factors, in fact, have been taken note

of by the High Court itself. Additionally, we find that, as on today, the order of the Recovery Officer, DRT-II, Mumbai dated 22.07.2025 enures to the benefit of the appellant-Rajesh K. Mehta.

11. In such view of the matter, there is no bar for the appellant-Rajesh K. Mehta to travel abroad. However, the High Court has exercised its discretion by imposing the condition to deposit an additional sum as security.
12. In such view of the matter, the only issue for consideration is whether the said condition imposed by the High Court is just and proper, since we do not find any merit in the appeal filed by the Trust, challenging the very permission granted in favour of the appellant to travel abroad.
13. It is the submission of the learned Senior counsel appearing for the appellant-Rajesh K. Mehta that all the properties belonging to the appellant have been attached and he is not in a position to comply with the monetary condition imposed vide the impugned order. While the learned Senior counsel appearing for the respondent-Bank, by placing reliance upon one of the orders passed by the High Court, would submit that a factual finding has been recorded by the Recovery Officer, DRT-II, Mumbai himself that the appellant has got sufficient financial means.
14. Taking note of the aforesaid position, we are only inclined to modify the condition imposed by the High Court by reducing the sum of Rs.7,50,00,000/- to a sum of Rs.3,00,00,000/- (Rupees

Three Crores). The appellant-Rajesh K. Mehta is directed to deposit the modified security amount in the same manner, as directed by the High Court. The aforesaid compliance will have to be made within a period of three weeks before undertaking the proposed travel.

15. We make it clear that within the time if the appellant comes back, the same cannot be construed as the complete compliance of the order, as the ultimate outer limit granted by the High Court was of 120 days, which enables him to undertake further travel within the same.
16. To put an end to the *lis* in one way or the other, we request the High Court to make an endeavour to dispose of pending writ petitions bearing W.P. No.3802/2025 and W.P. (L) No.40817/2025, within a period of six months from the date of receipt of a copy of this order.
17. The Presiding Officer, DRT-II, Mumbai is also directed to dispose of the pending matter being M.A. No.119/2025 in R.P. No.709/2004, within a period six months from the date of receipt of a copy of this order.
18. By way of a clarification, we make it clear that all the pending proceedings will have to be decided on their own merits, without being influenced by the observations made in the impugned order.
19. Both the appeals are disposed of in the aforesaid terms.
20. Pending application(s), if any, shall also stand disposed of.

.....J .
[M.M. SUNDRESH]

.....J .
[AUGUSTINE GEORGE MASIH]

NEW DELHI;
9th SEPTEMBER, 2026

ITEM NO.31 + 32

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 25843/2026

[Arising out of impugned final judgment and order dated 16-07-2026 in IA(L) No. 36274/2025 passed by the High Court of Judicature at Bombay]

RAJESH K. MEHTA

Petitioner(s)

VERSUS

HDFC BANK LIMITED

Respondent(s)

WITH

ITEM 32

SLP(C) No(s).28456/2026

Date : 09-09-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Devadatt Kamat, Sr. Adv.
Mr. Raghenth Basant, Sr. Adv.
Mr. Utsav Trivedi, Adv.
Mr. Avishkar Singhvi, Adv.
Mr. Nidhiram, Adv.
Ms. Shivani Bhushan, Adv.
Mr. Harsh Pandya, Adv.
Mr. Harsh Pandey, Adv.
Mr. Gaurav Sharma, Adv.
Ms. Sakshi Raman, Adv.
For M/S. Tas Law, AOR

Mr. Siddarth Dave, Sr. Adv.
Mr. Shoeb Alam, Sr. Adv.
Mr. Tarun Mehra, Adv.
Mr. Ankur Saigal, Adv.
Mr. Dikshat Mehra, Adv.
Mr. Abhay Dhadiwal, Adv.
Ms. Vidhi Karia, Adv.
Mr. Mohd Naved, Adv.
Ms. Shreyasi Kunwar, AOR
Mr. Monish Bhatia, Adv.

For Respondent(s) Mr. Siddarth Luthra, Sr. Adv.(not present)
 Mr. Siddarth Dave, Sr. Adv.
 Mr. Shoeb Alam, Sr. Adv.
 Mr. Tarun Mehra, Adv.
 Mr. Ankur Saigal, Adv.
 Mr. Dikshat Mehra, Adv.
 Mr. Monish Bhatia, Adv.
 Mr. Abhay Dhadiwal, Adv.
 Mr. Vidhi Karia, Adv.
 Mr. Mohd Naved, Adv.
 Ms. Shreyasi Kunwar, AOR

Mr. Shyam Divan, Sr. Adv.(not present)
 Mr. Gopal Jain, Sr. Adv.
 Mr. Zueb Cutlerywala, Adv.
 Mr. Vikram Kamath, Adv.
 Mr. Advait Shukla, Adv.
 Mr. Sameer Sharma, Adv.
 Mr. Yeswardhan Singh, Adv.
 Mr. Ankit Kumar Sinha, Adv.
 Mr. Hasan Murtaza, AOR

M/S. Tas Law, AOR

Mr. Zueb Cutlerywala, Adv.
 Mr. Vikram Kamath, Adv.
 Mr. Advait Shukla, Adv.
 Mr. Sameer Sharma, Adv.
 Mr. Ankit Kumar Sinha, Adv.
 Mr. Hasan Murtaza, AOR

Mr. Devadatt Kamat, Sr. Adv.
 Mr. Utsav Trivedi, Adv.
 Ms. Shivani Bhushan, Adv.
 Mr. Harsh Pandya, Adv.
 Mr. Harsh Pandey, Adv.
 Mr. Gaurav Sharma, Adv.
 For M/S. Tas Law, AOR

UPON hearing the counsel the Court made the following
 O R D E R

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SWETA BALODI)

ASTT. REGISTRAR-cum-PS

(POONAM VAID)

ASSISTANT REGISTRAR

(Signed order is placed on the file)