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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CONTEMPT PETITION NO.398/2012

IN

SECOND APPEAL NO.538/2006

Shahadeo Shahurao Shinde & others.
...Petitioners..

Versus

Sunil Narsing Pagote & others.
...Respondents...

.....

Shri Milind M. Patil (Beedkar), Advocate for petitioners.
Shri P.V. Suryawanshi, Advocate h/f Shri S.R. Barlinge,
Advocate for respondent nos.1 & 2.
Shri R.V. Deshmukh, Advocate for respondent no.3.
Shri G.R. Ingole, AGP for the State.

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CORAM: N.W. SAMBRE, J.

DATE: 17.07.2015

ORDER :

1] Present contempt petition is moved by the petitioner alleging intentional disobedience of order dated August 19, 2008 as according to the petitioner, the respondents herein have acted in *mala-fide* manner by creating third party interest in the matter of title of the suit property.

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2] Upon perusal of the order dated August 19, 2008, of which contempt is complained of, in my opinion, this Court by the said order has not granted any interim relief particularly in the background of provisions of Section 52 of the Transfer of Property Act. Irrespective of above, it will not be out of place to mention here that subsequent purchasers are bound by the doctrine of *lis pendens* as regards outcome of the proceedings.

3] In view thereof, in my opinion, no case for contempt is made out. The contempt petition as such fails and is dismissed. No costs.

(N.W. SAMBRE, J.)