

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION (MAIN) NO. 22 OF 2015

M/S.H.L.NATHURMAL, REPRESENTED BY
ITS PROPRIETOR MR.HARESH MELVANI.

... Petitioner

Versus

MR.PRASANNA ACHARYA.

... Respondent

Mr. Ryan Da Piedade Menezes, Advocate for the petitioner.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 26th October, 2015

P.C.

1. Heard Mr. Ryan Da Piedade Menezes, learned counsel appearing for the petitioner.
2. Leave to amend to substitute Page no.41 of the judgment dated 13.08.2014. Amendment to be carried out forthwith.
3. The above Contempt Petition has been filed claiming that there is a breach of the directions issued by this Court while disposing of Writ Petition No.210/2014 and all other connected petitions by the judgment dated 13.08.2014.
4. Mr. Ryan, learned counsel appearing for the petitioner, points out that though the petitioner is not a party to the said writ petitions, nevertheless as the direction No.2 in the said judgment includes all

lease-holders, the petitioner has also been treated to be as one of similarly placed person, who can take the benefit of such directions. The learned counsel, further points out that despite of a specific direction to dispose of the application within a specific period, no action has been taken by the respondent and as such the respondent has committed a contempt of the directions issued by this Court.

5. Upon hearing the learned counsel, it is not disputed that in the Writ Petitions which were disposed of by the said judgment dated 03/08/2014, the petitioner was not a party to that petitions. In such circumstances, the question of seeking a relief by the petitioner by filing a Contempt Petition would not arise at all. The petitioner if so advised, may take a independent remedy in accordance with law. The Contempt Petition is accordingly disposed of. All the contentions of the petitioner on merits of the claim are left open.

K. L. WADANE, J.

F. M. REIS, J.

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