

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**(SUO-MOTU) CONTEMPT PETITION NO.74 OF 2013
IN
CONTEMPT PETITION NO.01 OF 2011**

High Court On Its Own Motion

.. Petitioner.

V/s

1. Mr. V.V. Gandhalekar
Member of the Prabhu Kunj
Coop Housing Society Ltd
R/o. Flat No.602, 6th Floor,
Prabhu Kunj Co-operative
Housing Society Ltd., 5,
Peddar Road, Mumbai-400 026
2. Mr. Minesh Shah
Secretary of the Prabhu Kunj
Co-op Hsg. Soc. Ltd.,
R/o Flat No.505, 5th Floor, Prabhu
Kunj Co-operative Housing
Society Ltd., 5, Peddar Road,
Mumbai400 026.
3. Mrs. Ranjana Khandolkar
Treasurer of the Prabhu
Kunj Co-operative Hsg. Soc.
Ltd, R/o. Flat No.503, 5th
Floor, Prabhu Kunj
Co-operative Housing
Society Ltd, 5th Peddar Road,
Mumbai-40026.

4. Mr. Daulat Adnani
Member of Managing Committee
of the Prabhu Kunj Co-op
Hsg. Society Ltd., R/o. Flat
No.301, 3rd Floor, Prabhu Kunj
Co-operative Housing Society
Ltd., 5, Peddar Road,
Mumbai-400 026.
5. Mrs. Jayshree Makhija
Member of Managing Committee
of the Prabhu Kunj Co-operative
Housing Society Ltd., 5,
Peddar Road, Mumbai-400 026.
6. Ms. Varsha Bhosle
Chairman of Managing Committee
of the Prabhu Kunj Co-operative
Housing Society Ltd., R/o.
Flat No.102, 1st Floor, Prabhu
Kunj Co-operative Housing Society
Ltd., 5, Peddar Road,
Mumbai-400 026
7. Mr. S.S. Pandit
Member of Managing Committee
of the Prabhu Kunj Co-op
Housing Soc. Ltd., R/o. Flat No.303
3rd Floor, Prabhu Kunj Co-operative
Housing Society Ltd. 5, Peddar Road,
Mumbai-400 026

.. Respondents.

A N D

Dhiren Shah
Adult, Indian Inhabitant.
Residing at Flat No.201,
Prabhu Kunj Co-operative
Housing Society, 5, Peddar Road,
Mumbai-400 026.

.. Intervener

Ms. Rishika Rajadhyaksha i/b. Haresh Jagtiani & Associates,
for intervener.

Mr. R.N. Jawal, for Respondents No.1 to 4 & 7.

Mr. Nandini Singh i/b Bharucha & Partners, for Respondent
No.4.

Mr. Vinit Naik a/w Mr. Swanand Ganoo, Mr. Amit Mehta i/b
Mahimtura & Co., for Respondent No.5.

Coram : Smt. R.P. SondurBaldota, J.

Date : 03rd March, 2015

P.C.

This Notice for contempt was sent suo motu by this Court in view of the reference from the President, The Maharashtra State Co-operative Appellate Court, Mumbai, alleging breach of it's order dated 22nd October, 2010 passed in Appeal No.129 of 2009 filed by respondent No.8-intervener. Respondent No. 6 is since deceased. Respondents No.1 to 5 and 7 have filed Affidavits, expressing unconditional apology for the acts of contempt alleged against them. Ms.. Rajadhyaksha, the learned advocate appearing for the

respondent No.8 tenders his Affidavit stating that dispute reflected in Appeal No.129 of 2009 has been settled and that the Consent Terms will be filed in the dispute before the Co-operative Court. In view of settlement of the dispute and the unconditional apology tendered by respondents No.1 to 5 and 7, notice issued for action for contempt is discharged by accepting the unconditional apology tendered in the Affidavits. Contempt Petition is accordingly disposed of.

(Smt. R.P. SondurBaldota, J.)