

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

(SUO-MOTU) CONTEMPT PETITION NO.58 OF 2012

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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None for the petitioner

Mr.L. H. Patil for the respondent

CORAM : K.K.TATED, J.

DATED : 02/03/2015

PC:

1 Heard the learned counsel for the respondent contemnor.

2 This suo-motu Contempt Petition is registered by this court in view of the report received from Maharashtra State Co-operative Appellate Court, Mumbai in Contempt Application No.3 of 2011 in M.A. No.45 of 2010 in Dispute No.CC-II/14/2005 stating that though the Judge, Co-operative No.II, Mumbai passed order dated 28.7.2009 directing respondent Society to provide all the required documents to the applicant, same was not provided. After issuing notice to the respondent, respondent appeared before this court. The Respondent filed their affidavit in reply dated

29.6.2012, additional affidavit dated 5.11.2012 and affidavit dated 24.1.2013 stating that after receipt of notice from this court, they complied the order passed by Co-operative Court No.II and tendered unconditional apology.

3 Considering the submissions made by the learned counsel for the respondent and the reasons disclosed by them in the affidavit filed in present proceeding, I am of the opinion that the respondent complied the said order dated 28.7.2009. Hence, it is not necessary to take any action against them under the Contempt of Court Act. Hence, following order:

- a) Suo-motu Contempt Petition No.58 of 2012 is dismissed.
- b) Notice issued to respondent stands discharged.
- c) No order as to costs.

(K.K.TATED, J.)