

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 320 OF 2015

Smt. Bhagirathibai B. Jondhale and ors. .. Petitioners
vs.
The State of Maharashtra and anr. .. Respondents

Mr. V. N. Walawalkar i/b Mr. S.M. Sabrad for the Petitioners.
Mr. A.R. Metkari, AGP for Respondent No.1.
Ms. Anjali Helekar for Respondent No.2.

CORAM : M. S. SONAK, J.
DATE : 16 SEPTEMBER 2015.

P.C. :-

1] Ms Anjali Helekar, learned counsel for Respondent No.2, states that the son of Respondent No.2 Mr. Sudhir Devendra Patkar is present in the Court today and he is ready to hand over the keys of suit premises to the learned counsel for the Petitioners.

2] Mr. Sudhir D. Patkar, in presence of the Court, has handed over the keys of suit premises to the learned counsel appearing for the Petitioners.

3] Mr. Sudhir D. Patkar assures this Court that they have removed all their belongings from the suit premises and the Petitioners can take peaceful and vacant possession of the suit premises today itself, now that the keys to that suit premises had been handed over to them. This statement is accepted.

4] The Petitioners to issue necessary receipt of possession in favour of Respondent No.2 within a period of one week from today.

5] Insofar as the issue of payment of rent is concerned, Ms Helekar submits that the rents upto 2013 have already been deposited before the Appeal Court. However, without prejudice and in addition to the amount already deposited, Mr. Sudhir Patkar has offered to pay and has in fact paid to Petitioner No.4 Mr. Mangesh Bharat Jondhale, who is also present in the Court today, an amount of Rs.5000/- in presence of the Court.

6] In view of the aforesaid, there is no necessity to continue this contempt proceedings any further. In case, there is any shortfall in the matter of rents, the same to be made good by Respondent No.2. In case, after the receipt of amount of Rs.5000/- as well as the amounts deposited before the Appeal Court, it is found that any excess amount has been received by the Petitioners, then the Petitioners to refund the same to Respondent No.2.

7] This contempt petition is, therefore, disposed of.

8] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

CERTIFICATE

**“Certified to be true and correct copy of
original signed Judgment/Order.”**