

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****CONTEMPT PETITION NO. 147 OF 2005****IN****WRIT PETITION NO. 8221 OF 2004**

Shri Jayesh D. Jhaveri (HUF)

....Petitioner.

Vs.

Khushman Co-operative Housing Society Ltd.

....Respondents.

None present.

CORAM:- ANOOP V. MOHTA, J.**DATE :- 20 FEBRUARY 2015.****P.C:-**

Called out from the final hearing board.

2 The Petitioner has filed this Contempt Petition against the Respondents-Society, as there was no compliance of order dated 25 October 2004 passed by this Court, ordering the Respondents-Society to give inspection of the documents pertaining to Flat No.8 as per Sub-Section (2) of Section 32 of the Maharashtra Co-operative Societies Act, 1960 (for short, “the MCS Act”). There is an affidavit placed on record by the Respondents-Society dated 6 October 2006, and thereby averred that the Respondents-Society has already given inspection of

relevant documents, as per law along with the xerox copies of the documents, which the Petitioners have already acknowledged on 6 November 2005. Those documents are also placed in the record of this matter.

3 Therefore, in view of above affidavit, I see there is no case made out by the Petitioner to issue and/or to take contempt action under the Contempt of Courts Act. Even otherwise, the main matter must have been proceeded further.

4 The Contempt Petition is disposed of, with liberty. There shall be no order as to costs.

(ANOOP V. MOHTA, J.)