

pmw

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1040 OF 2015
IN
WRIT PETITION NO.4084 OF 2013

M/s. Bhagirathi Enterprises	... Applicant
Vs.	
Shri Ananta Bhau Koshimbe and Ors.	... Respondents

Mr. Ganesh Sudhir Vaidya, for the Applicant.
Mr. Prashant Kamble i/by Mr. A.S. Rao, for the Respondent No.1.
Mr. V.P. Malvankar, AGP 'A' Panel, for Respondent Nos.2, 3 and 6.

CORAM : A.S. OKA &
V.L. ACHLIYA, JJ.

DATE : 14th OCTOBER, 2015

PC.

. Perused the affidavit of Shri Anant Bhau Koshimbe, the Petitioner in Writ Petition which is dated 23rd September, 2015. In paragraph 1 of the said affidavit, he has accepted the allegation that he had suppressed the fact that Flat No. A/4 on the ground floor of Khyati Apartment was received by him pursuant to the development agreement executed by the co-owners. He has tendered unconditional apology.

2. After having considered the statements made in the said affidavit, we are of the view that this is not a fit case to initiate proceedings under the Contempt of Courts Act, 1971 on the footing that the Petitioner has made false statements on oath. In any case, no case is made out for setting the Criminal Law in motion as prayed in prayer (b). Application is accordingly disposed of.

(VL. ACHLIYA, J)

(A.S. OKA, J)