

nsc.

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

**CIVIL APPLICATION NO.39 OF 2014
IN
CONTEMPT PETITION (ST) NO.26422 OF 2014**

Sandeep Suryakant Vartak and Ors. ...Applicants.

IN THE MATTER BETWEEN

Sandeep Suryakant Vartak and Ors. ...Petitioners

v/s.

Priya @Aruna Narhar @Naresh Athavle and Ors. ...Respondents.

Mr.Ashok G. Toraskar, for the Applicants/Petitioners.

Ms.Alka Suryakant Vartak, Petitioner/Applicant No.3 present in person.

Mr.Chandrakant Narayan Chavan, for the Respondent No.1.

Mr.A.V.Dirtee, for the Respondent No.2.

**CORAM: A. S. OKA &
REVATI MOHITE DERE, JJ.**

DATED : 8th JULY, 2015.

P.C.

1. Heard the learned counsel appearing for the applicants except the third applicant. The third applicant appears in person.

2. As far as the breach of the order dated 25th October, 2001 passed by the Court of Small Causes is concerned, it is a case of continuing breach. The contention of the petitioners/applicants is that the construction of the room has been made unauthorizely. Admittedly, there is no Occupation Certificate issued. There is no electricity supply to the said room. Therefore, as far as the allegation of breach of order dated 25th October, 2001 is concerned, there is no delay.

3. Accordingly in view of what is recorded in clauses - 1 and 2 of the order dated 18th June, 2015, the application is disposed of.

(REVATI MOHITE DERE,J.)

(A.S. OKA,J.)