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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CONTEMPT PETITION NO. 62 OF 2015
IN
SUIT NO. 3360 OF 2007**

Jayeshree Ramlal Pitale ...Petitioner
VS
Jaykumar Hemchandra Vagal & Ors. ...Respondents
And
Sangram Petkar, Proprietor, Aashiana Construction ...Contemnor

.....
Mr Dushyant Purekar for the Petitioner
Mr Dileep Rai i/b Ajay K Rao for the contemnor.
.....

CORAM : S.C. GUPTE, J.

DECEMBER 21, 2015

P.C. :

It is agreed between learned Counsel for parties that the Contempt Petition can be disposed of in terms of the following order:

- (i) Respondent No.11 shall deposit an amount of Rs.1 lac in this Court within a period of two weeks from today. The Petitioner is at liberty to withdraw this amount in execution application filed by the Petitioner for execution of the consent decree in terms of the order dated 6 February 2008;
- (ii) Respondent No.11 undertakes to this Court to carve out a separate flat admeasuring 400 sq.ft. carpet area from out of the flat of 625 sq.ft. on the first floor of new building constructed on the suit property. Respondent No.11 agrees and undertakes to this Court not to deal with the flat on first floor until after earmarking such separate flat of 400 sq.ft. carpet area ;

2 The Petitioner is permitted to amend the plaint and correct the name of Defendant No.11 in the suit. The amendment to be carried out within a period of three weeks from today.

(S.C.GUPTE J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/ Order.