

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

4 CONTEMPT PETITION NO.407 OF 2015
IN WP/8207/2014

M/S. RAJMUDRA REAL ESTATE PVT. LTD., MUMBAI,
BRANCH AT, JALGAON.

VERSUS

THE STATE OF MAHARASHTRA, SUPT. LAND RECORD,
JALGAON AND OTHERS

...

Advocate for Petitioner : Mr. Deshmukh Mahesh S.

Mr. AB Girase, Govt. Pleader for Resp.1 to 5;

Mr. AB Kale, Adv. For Resp.No.5.

CORAM : P.R.BORA, J.

DATE : 27th June, 2016.

PER COURT :

1) Heard the learned Counsel appearing for
the parties.

2) Shri Kale, learned Counsel appearing for
Respondent No.5, who is alleged to have disobeyed
the order passed by this Court on 16.9.2014,
submitted that after order dated 16.9.2014 was

clarified by further order passed by this Court on 19.10.2015, the present respondent has registered all five documents, which were found in order and complete in all respect. Shri Kale further submitted that since there was some confusion on the part of Respondent No.5 in understanding the earlier order dated 16.9.2014 passed by this court, the documents were not accepted by him for registration. The learned counsel further submitted that it was never the intention of Respondent No.5. to disobey the orders passed by this Court. The learned counsel further submitted that Respondent No.5 undertakes to accept the documents for registration, which may be in order and if their registration is permissible and would register the same.

3) Shri Khandare, learned counsel for the petitioner, submitted that though after the clarificatory order was passed by this Court, five documents were accepted by Respondent No.5 for registration, subsequently, Respondent No.5

did again refuse to accept the documents for registration without any sufficient cause. The statement so made by Shri Khandare has been disputed by Shri Kale learned counsel appearing for Respondent No.5 stating that Respondent No.5 did never refuse to accept any documents as alleged by the petitioner.

4) This Court may not enter into the disputed questions of fact. Suffice it to record that Respondent No.5 has undertaken before this Court that he will not refuse the registration of the documents, which may be in order and in accordance with law and would register the said documents.

5) In view of the undertaking so given by Respondent No.5 and a further statement made by him that it was never his intention to disobey the orders passed by this court, it does not appear to me that there is any propriety in continuing the contempt proceedings further. In

the circumstances and for the observations made above, the Contempt Petition stands disposed of.

sd/-
(P.R.BORA,J.)

bdv/