

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO. 19 OF 2016

IN

WRIT PETITION NO. 305 OF 2016

NAVAGAURI APARTMENTS CO-OPERATIVE
HOUSING SOCIETY LTD., THR. ITS
SECRETARY ANTHONY VICTOR BRAGANZA.

... Petitioner

Versus

SMT. SANYOGITA K. SHETYE.

... Respondent

Shri. J. Abreu Lobo, Advocate for the petitioner.
Mr. K. Shetye, Attorney holder of the respondent.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 15th June, 2016

P.C.:

Heard.

2. This is an application for contempt, as according to the learned Counsel appearing for the applicant there is a violation of the undertaking of the respondent as recorded in the order dated 4th May, 2016. The respondent, who is represented through her duly constituted attorney, has pointed out that the partition referred to in the said undertakings was, in fact, removed within the time specified therein and that thereafter the subject-space is left open as ingress and egress to the applicants and the residents of such building. The respondent also had produced a photograph, depicting the position at

loco of the subject-space. The matter was, thereafter, posted today to enable the learned Counsel appearing for the petitioner to verify the situation at the site.

3. The learned Counsel for the applicant has pointed out that as of today, the position as shown in the photograph exists at the site. No doubt, the undertaking states that the ingress and egress of the residents would also not be hampered, nevertheless, considering that the present situation existing at the site, admittedly, does not affect such ingress and egress of the petitioner to the subject-space, we find that in the peculiar facts of this case, no further action is required to be taken in the present petition. Apparently, now the statements recorded in the order dated 4.5.2016 have been satisfied by the respondent. We, hereby, record that henceforth, the respondent shall ensure that the directions and undertakings given to the Court are strictly complied with.

The contempt petition stands disposed of accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

ssm.