

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.26 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Sudaleimani i/b M/s.Mahesh Menon and Co.
for the petitioner

Mr.Amol B. Kharat i/b M/s.Pillai and Co. for the
respondent

CORAM : K. K. TATED, J.

DATE : MAY 4, 2016

P.C.:

- 1 Heard the learned counsel for the parties.
- 2 By this Contempt Petition, petitioner is alleging that the respondent failed and neglected to hand over vacant and peaceful possession of the suit premises as per judgment dated 26.8.2015/9.10.2015 passed by this court in Writ Petition No.792 of 1992.
- 3 On the other hand, the learned counsel for the respondent submits that the respondent preferred S.L.P. No.87 of 2016 before the Apex Court. Same was dismissed by the Apex Court by order dated 25.2.2016 granting three months time

to the respondent to vacate the premises. He submits that last date for vacating the premises as per Apex Court order is 24.5.2016. Copy of the said order is placed on record by the advocate for respondent.

4 Considering the order passed by the Apex Court, Contempt Petition is pre-matured. Liberty granted to the petitioner to file appropriate proceeding for same cause of action in case the respondent failed and neglected to comply the order dated 25.2.2016 passed by Apex Court. Hence, following order is passed:

- a) Writ Petition stand dismissed.
- b) Liberty granted to the petitioner to file appropriate proceeding for same cause of action in case the respondent failed and neglected to hand over the possession of the suit premises on or before 24.5.2016.

JUDGE