

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (STAMP) NO.6511 OF 2016

Shri Ajij Abdul Raheman Inamdar,	]	
Through Power of Attorney :-	]	
Shri Chandrakant Nanasaheb Kadam.	]	... Petitioner

Versus

Shri Abdul Raheman Mohd. Ali Malik	]	
and Ors.	]	... Respondents

Mr. Sachin B. Thorat for Petitioner.

CORAM :- R. G. KETKAR, J.

DATE :- APRIL 16, 2016

P. C. :-

1. Heard Mr. Sachin B. Thorat, learned Counsel for petitioner.

2. By this petition, the petitioner has sought initiating contempt proceedings against the respondents for disobedience of order dated 23/02/2009 passed by the learned Civil Judge, Junnar, below Exh.5.

3. It is not in dispute that the petitioner has already filed application under Order 39 Rule 2A of Code of Civil Procedure, 1908

('CPC') on 10/08/2012 (Exh.97). The respondents have filed reply at Exh.101 dated 20/10/2012. Mr. Thorat submitted that application at Exh.97 is pending since 2012.

4. As the petitioner has already filed application for breach of injunction order under Order 39 Rule 2A, I do not deem it appropriate to initiate any proceedings against the respondents. Hence Contempt Petition is dismissed. However, as the application at Exh.97 is pending for more than three years, the learned Trial Judge is requested to decide the said application as expeditiously as possible and preferably within six weeks from production of authenticated copy of this order. Order accordingly.

(R. G. KETKAR, J.)