

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CONTEMPT PETITION NO. 183 OF 2016****Mahendraprasad Roopnarayan Dube****..... Petitioner****VERSUS****Jayprakash Jagdishprasad Dixit & Anr.****..... Respondents**

Mr.Jaydev Trivedi for the Petitioner.

Mr.N.M.Shaikh for Respondent nos. 1 and 2.

CORAM : R.D. DHANUKA, J.**DATE : 2nd AUGUST, 2016****P.C.**

Learned counsel appearing for the respondent states that this court had already granted ad-interim relief in the writ petition bearing no. 4847 of 2016 filed by the management against the impugned order and judgment dated 27th July, 2015 passed by the school tribunal in Appeal No. 16 of 2012. He submits that no contempt is committed by the respondents.

2. Learned counsel for the respondents raises a preliminary objection of maintainability of this contempt petition against the alleged violation of the order and judgment delivered by the school tribunal.

3. Learned counsel for the petitioner on instructions states that in view of the objections raised by the respondents, the petitioner be allowed to withdraw this contempt petition with liberty to file appropriate execution proceedings before the executing court. Statement is accepted. Contempt petition is dismissed as withdrawn with liberty to file appropriate proceedings. No order as to costs.

[R.D. DHANUKA, J.]