

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.584 OF 2014

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.Sachin Gite for the petitioner

Mr.Mithun Mahajan i/b Mr.Anilkumar K. Patil
for the respondent no.1

CORAM : K.K.TATED, J.

DATED : 11/01/2016

PC:

- 1 Heard the learned counsel for the parties.
- 2 By this Contempt Petition, petitioner alleges that the respondent contemnor violated the order dated 19.10.2012 passed by this court in Civil Application No.1689 of 2012 directing parties to maintain status quo.
- 3 The learned counsel for the applicant submits that after passing of the status quo order respondent have removed the grapes garden and pomegranate plants from the suit property and now they are cultivating vegetables, flowers etc. in the suit property. He further submits that inspite of the status quo order passed by this court, respondent has leased out 20 Ares of land out of

the suit land to one Swapnil Pansare, who is the resident of Naigaon in January, 2014. The said Swapnil Pansare is running the small scale Industry in the said 20 Ares land. In this way, respondent violated the status quo order passed by this court. In support of this contention, the learned counsel for the petitioner relies on paragraph 6 and 7 of the Contempt Petition.

4 It is to be noted that petitioner alleges in paragraph 6 and 7 of the Contempt Petition that the respondent violated the status quo order passed by this court on 19.10.2012 in Civil Application No.1689 of 2012 but they have not placed on record any proof to that effect. It is to be noted that if 20 ares of land out of the suit land is leased out to one Swapnil Pansare for running small scale Industry, definitely there must be some permission from the competent authority for construction and running the said factory. But those documents are not placed on record to justify the Contempt Petition. In view of want of any evidence on record, I do not find any substance in the present Contempt Petition. Same stand rejected.

(K.K.TATED, J.)