

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

CONTEMPT PETITION NO. 313 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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Ms. Martina Sapkal i/b M/s. Arun Sapkal & Co. for the Petitioner.

**CORAM : K. K. TATED, J.
DATED : 28/03/2016**

PC.:

. Heard learned Counsel for the petitioner.

2 By this Contempt Petition, the petitioner submits that the respondent failed and neglected to comply the order dated 25.02.2014 passed by this Court in Civil Revision Application No. 823 of 2013 by handing over the vacant and peaceful possession of suit premises i.e. Block No. 12 situated at Dev Darshan building Block No. 262, St. Anthony Road, Chembur, Mumbai – 400 071. She submits that matter was carried to the Apex Court. The Apex Court by order dated 05.05.2014 dismissed the Respondent's/contemnor's SLP. She submits that as Respondent failed and neglected to handover the vacant and peaceful possession of the suit premises as per order dated 25.02.2014, which was confirmed by the Apex Court by order dated 05.05.2014, this

Hon'ble Court be pleased to take appropriate action against the respondent defendant for violating/non compliance of the order passed by this Court. She further submits that during the pendency of the present Contempt Petition, the petitioner preferred Execution Application No. 422 of 2014 for vacant and peaceful possession of the suit premises. She submits that as per Executing Court's order, the petitioner/plaintiff obtained possession of the suit premises on 12.01.2015.

3 Heard learned Counsel for the petitioner at length. Though the respondent defendant failed to comply the order passed by this Court on 25.02.2014 in Civil Revision Application No. 823 of 2013, Order passed by the Apex Court and in view of subsequent development i.e. the petitioner recovered the possession of the suit premises in execution proceeding, I do not find any reason to take action against the respondent contemnor.

4 Hence, Contempt Petition stands disposed of in view of subsequent development.

(K.K.TATED, J.)