

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

CONTEMPT PETITION NO. 329 OF 2013

Mrs. Janabai Bhausahab Bhanvase

..Petitioner.

Vs

Mr. Anand Sampatrao Divekar and
Ors.

.. Respondents

Mr. Sanket M. Mungale , Advocate for Petitioner.

Mr. Ajay A.Joshi, Advocate for Respondents no.1 to 12.

Mr.Avinash A Avhad, Advocate for Respondents no. 14 to 16.

CORAM : R.G.KETKAR,J.

DATE : 30/11/2016

PC:

1. Heard Mr.Sanket Mungale, learned counsel for the petitioner, Mr Ajay Joshi, learned counsel for respondents no.1 to 12 and Mr. Avinash Avhad, learned counsel for respondents no.14 to 16 at length.

2. This Petition alleges breach of the judgment and decree dated 15.12.2003 in Regular Civil Suit No.271/2000 passed by the learned Civil Judge, Jr. Dn., Daund under Article 215 of the Constitution of India and under Section 2 of the Contempt of Courts Act, 1971.

3. Mr. Mungale states that petitioner has already filed Darkhast on 16.7.2014. Husband of the petitioner and grand-son of the petitioner are present in the court. He has tendered photocopies of their Aadhaar Cards which are taken on record

and marked 'X' Collectively for identification. Upon taking instructions from them, he seeks permission to withdraw this petition with liberty to file appropriate application/s in Darkhast proceedings. The learned counsel for the respondents submits that in case such liberty is reserved, all contentions of the respondents may be kept open.

4. In view thereof, on the motion made by Mr. Mungale, Contempt Petition is allowed to be withdrawn with liberty as prayed for. All contentions of the parties are expressly kept open. Order accordingly.

(R.G.KETKAR, J.)