

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

CONTEMPT PETITION NO. 264 OF 2016

Ajay Anand Samant & ors.	... Petitioners
v/s	
Anand Nilkanth Samant & ors.	... Respondents

Mr.Nilesh Modi i/by M/s.Rustamji & Ginwala for the petitioners.
None present for the respondents.

Coram: N.M. Jamdar, J.
Dated: 3 October 2016

P.C.:

The contempt petition is filed calling upon this Court to declare that the Respondents have committed a breach of violation of ad-interim injunction dated 17 June 2015 passed by the learned Civil Judge, Junior Division, Vasai. A remedy is provided under the Code of Civil Procedure if a complaint is made of breach of injunction, under Order 39 Rule 2(a). In view of this position, the contempt petition need not be entertained as it is open to the Petitioners to take out an appropriate application under Order 39 Rule 2(a), as per law, which will be considered by the learned Judge on its own merits.

2 The contempt petition is disposed of.

(N. M. Jamdar, J.)