

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

**CIVIL APPLICATION NO.75 OF 2016  
IN  
CONTEMPT PETITION NO. 287 OF 2015**

Vainateya Dattatraya Tulzapurkar .... Petitioner

Vs.

Subhash Vasant Nikam & Ors. .... Respondents

And

Vaivaswata Vainateya Tulzapurkar .... Applicants  
& Ors.

Mr. Suneet Moholkar, Advocate for the Applicant.

Mr. V.B. Tapkir, Advocate for Respondents no.1 and 2.

**Coram : Smt. R.P. SondurBaldota, J.**

Date : 29<sup>th</sup> July, 2016

P.C.

1            This Application is for bringing the heirs of the deceased petitioner in Contempt Petition on record. The civil application is served upon the contesting respondents i.e. respondents no.1 and 2. The petitioner has not claimed any relief against respondents no.3 and 4, who are the subsequent transferees. Since the allegations made in the contempt petition

are of violation of the orders of the court, this civil application cannot be allowed to be abated. According to the respondent, there is delay in filing the application. The delay has been explained by Mr. Moholkar, the learned advocate for the applicants by stating that the applicants were waiting to receive the certified copy of the death certificate. In my opinion, it is sufficient explanation offered by the applicants. Hence, the Application is allowed. The amendments to be carried out on or before 29<sup>th</sup> August, 2016.

(Smt. R.P. SondurBaldota, J)