

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Contempt Petition NO. 411 OF 2016

Vasant Babu Dalvi

...Petitioner

Versus

Shri Harishandra Tukaram Dalvi

And Ors

...Respondents

....

Mr.Vikram Walawalkar a/w. Sambhaji Kharatmol i/b. Gajanan Shinde, Advocate for the Petitioner.

....

CORAM : R. G. KETKAR, J.

DATE : 2nd DECEMBER, 2016

P.C.

1. Heard Mr.Vikram Walawalkar, learned Counsel for the petitioner.
2. This Contempt Petition is filed alleging breach of the judgment and decree dated 27.4.2007 passed by the learned Civil Judge, Junior Division, Khed in Regular Civil Suit No.63/2000. By that order, the learned trial trial Judge decreed the suit instituted by the plaintiff and issued injunction restraining the respondents from blocking the road as also causing obstruction to the plaintiff's possession.
3. Mr. Walawalkar states that the petitioner is present in

Court. He has tendered photocopy of Aadhaar Card of the petitioner, which is taken on record and marked 'X' for identification. Upon taking instruction from him, Mr.Walawalkar seeks permission to withdraw the Contempt Petition with liberty to file execution proceedings.

4. In view thereof, on the motion made by Mr.Walawalkar as also having regard to the provisions of Order XXI Rule 32 of C.P.C., the petitioner can execute the decree of injunction by filing Darkhast. Hence, the Petition is allowed to be withdrawn and is disposed of with liberty as prayed for. It is made clear that I have not examined the merits of the case. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)