

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.72 OF 2014

M/S.SUNDEEP TECHNOLOGIES PVT. LTD.)...PETITIONER

V/s.

TRICKLERS RECREATION PVT. LTD. & ORS.)...RESPONDENTS

None for the Petitioner.

Mr.Ruturaj Pawar, Advocate for Respondent Nos.2 to 4.

CORAM : P N. DESHMUKH, J.

DATE : 17th OCTOBER 2016.

P.C. :

1 None for petitioner / original complainant. Heard learned counsel for respondents. Learned counsel for respondents has placed on record copy of money receipt establishing payment of Rs.50,000/- made as per order dated 3rd August 2016 of this court. Same is taken on record.

2 Record reveals that vide order dated 13th March 2013 passed by this court in Appeal No.1465 of 2011, respondents had issued cheque which was dishonoured and thus notices were issued against respondents as to why action against them should not be initiated under the provisions of Contempt of Courts Act, 1971.

3 Order dated 29th April 2016 establish that petitioner is not serious in prosecuting the present contempt petition. It appears that petitioner is not interested in prosecuting the claim as according to the Consent Terms, respondents, pending present petition, have deposited balance amount of Rs.4,55,000/-, which fact of payment of above said amount is established from order dated 3rd August 2016 of this court. It is further noted that on depositing said amount, as petitioner had submitted that he was entitled to the amount as aforesaid, in the year 2013 itself, this court directed respondents to pay additional amount of Rs.50,000/- for delay in making the payment, which amount is also found to be deposited by respondents by issuing Demand Draft dated 9th August 2016.

4 Considering facts as aforesaid, as respondents are found to have complied by making payment of Rs.4,55,000/- by depositing 2 demand drafts valued for Rs.2,20,000/- and 2,35,000/- respectively, and by further making payment of Rs.50,000/- as aforesaid, petition is liable to be dismissed.

Contempt is purged.

(P. N. DESHMUKH, J.)