

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO.69 OF 2015
IN
SUIT NO.877 OF 2011**

Pandharinath L. BhandariPetitioner

V/s.

Mr. Himmat S. Bhadra, Director of
Arpan Properties Pvt. Ltd. & Anr.Respondents

Mr. Omkarnath Ramkishore Tiwari for the petitioner.
None for the respondents.

**CORAM : K.R.SHRIRAM,J
DATE : 21st OCTOBER,2016**

P.C.:-

1 The contempt alleged is that the respondents were originally to allot premises admeasuring 1000 sq. ft. but the parties agreed that the respondents will give 642 sq. ft. usable area. The counsel for the petitioner states that when the petitioner got the area measured after he took possession it is certified by the Architect that the usable area is only 495 sq. ft.

2 The contempt alleged is of order dated 2nd November, 2012. Paragraph 1 (ii) of the said order reads as under :

“1. Heard the Learned Advocates appearing for the parties and the following order is passed by consent.

(ii) The Defendant Nos. 5 and 6 undertake to hand over office premises viz. B1 on the 3rd floor of the building AHCL delineated in Colour Blue on the plan annexed hereto and marked Annexure-1, to

the Plaintiff on or before Monday, 5th November, 2012.

3 The order does not indicate the area. The counsel for the petitioner also confirms that the office mentioned in the said order has been allotted and he has taken possession on 5th November, 2012 as directed by the court.

4 Therefore, there is no contempt. The petition stands disposed.

(K.R.SHRIRAM,J)