

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION (L) NO.80 OF 2015
IN
APPEAL NO.750 OF 2011
IN
NOTICE OF MOTION NO.116 OF 2011
IN
SUIT NO.494 OF 1991

Purshottam Shankar Marathe	Petitioner
versus	
Verinderkumar Verma and others	Respondents

Mr.Sudan Y. Amare for Petitioner.
Mr.Upendra Lokegaonkar i/by Y.S.Bhate for Respondent no.1.
Mr.sunil Patel i/by R.A.Shaikh for Respondent no.2.
Mr.K.N.Bhenday for Respondent no.4.
Mr.Vikhil Dhoka i/by Solicis Lex for Respondents 5, 5A and 5B.
Ms.Priya Ranade with Mr.prashant Ghelani and Ms.Nupur Desai
i/by Markand Gandhi & Co. for Respondents 6, 6A and 6B.
Mr.S.S.Deshpande, Court Receiver, present.

CORAM : A.S.OKA AND P.D.NAIK, JJ.

DATE : 05th April 2016

PC :

1. Perused the order of learned Single Judge dated 7th April 2011 which has been confirmed by a Division Bench of this Court in appeal. Perused the order dated 14th March 2016 passed by this Court. The learned counsel appearing for the Petitioner does not dispute that though belatedly, the amount

payable to the Petitioner in terms of clause-(5) of the order dated 7th April 2011, has been paid to the Petitioner. He pointed out that the amount has been paid for the period from April-2015 to October-2015.

2. Thus, there is no dispute that there is a substantial compliance made by the contemnors of the order of which breach is complained of.

3. From the statements which are made at the bar, there appear to be some other subsisting disputes between the parties. The said disputes cannot be gone into in this contempt petition. Though belatedly, substantial compliance is made with the order of which breach is complained of. Therefore, in the facts of the case, it cannot be said that it is deliberate or willful breach of the orders of this Court.

4. In our view, it is not necessary to prosecute the contempt petition any further. Accordingly, the contempt petition is disposed of.

5. We make it clear that we have not made adjudication of any other disputes between the parties, if subsisting.

(PD.NAIK, J.)

(A.S.OKA, J.)