

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CONTEMPT PETITION NO.29 OF 2015

(Suresh s/o Gangadhar Ghime ..vs.. Bhaskar s/o Gangadhar Ghime and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

None for the petitioner,
Shri Y.B. Mandpe, Advocate for the respondents.

CORAM : Z.A. HAQ, J.
DATED : 27-09-2016

The grievance of the petitioner is that the order passed by the civil Court on 03-05-2014 disposing the civil suit in terms of the settlement-deed dated 23-04-2014 executed before the mediator is being wilfully disobeyed by the respondents. The Regular Civil Suit No.43/2012 was in respect of claim made by the present petitioner against the present respondents. The petitioner and the respondents are real brothers. Considering the nature of dispute and the terms of settlement recorded in the deed dated 23-04-2014, in my view, the petitioner can seek redressal of his grievance by availing appropriate remedy before the appropriate forum. It would not be appropriate to examine the grievance of the petitioner in petition under Article 215 of the Constitution of India read with Section 12 of the Contempt of Courts Act, 1971.

With liberty to the petitioner to seek redressal of his grievance in appropriate proceedings before appropriate forum, the present contempt petition is disposed. Notice issued to the respondents²⁵ is discharged. The parties to bear their own costs.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on :29-09-2016.

P.A. to Hon'ble Judge.