

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 306 OF 2017
IN
WRIT PETITION NO. 3618 OF 2016**

Arundas s/o. Shivrao Kanegaonkar .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr.V.G. Salgare, Advocate for the petitioner.
Mr.S.G. Karlekar, AGP for respondent/State.

**CORAM : S.V.GANGAPURWALA &
S.M.GAVHANE, JJ.
DATED : 23.11.2017**

P.C. :-

1. Mr. Karlekar, learned AGP submits that subsequently the appeal filed by the State bearing R.C.A. No.124 of 2011 has been allowed under judgment and order dated 29.09.2017 and it is held that Arundas is not owner by virtue of will-deed said to have been executed by Laxmibai. In view of the fact that subsequently the decree in favour of the petitioner has been set aside by the appellate Court, the directions sought cannot be granted. However, in-case, the petitioner succeeds in further appeal, then the respondents would be bound by

the judgment that would be delivered in the further appeal that may be filed by the petitioner against the judgment of the first appellate Court.

2. With the above observations, the Contempt Petition is disposed of.

[S.M.GAVHANE, J.]

[S.V.GANGAPURWALA, J.]