

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION NO.165 OF 2016
IN
SECOND APPEAL NO.621 OF 2013**

Shri Bandopant Baburao Patil (Jadhav)

And Another

... Petitioners

Versus

Shri Krishnat Bhagawant Jadhav

... Respondent

.....

Mr. Rahul Walvekar for the Petitioners.

.....

CORAM : S.C. GUPTE, J.

DATE : 31 JANUARY 2017

P.C. :

. The contempt petition seeks committal of the Respondent for breach of the interim status quo order passed by this Court. The second appeal, however, has since been dismissed by this Court, holding that the Appellants' suit for perpetual injunction simplicitor without claiming a proper declaration was not maintainable. This was particularly in the face of concurrent finding of facts recorded by both the Courts below that the Appellants were not in possession of the property. In view of disposal of the second appeal, the contempt petition may not be entertained and the same is, accordingly, disposed of.

(S.C. GUPTE, J.)