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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT APPEAL NO.1 OF 2017 IN
CONTEMPT PETITION NO.582 OF 2014

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Nanak S. Ghatalia the Appellant in person
None for the Respondent.

CORAM : A.S.OKA, &
A.K.MENON,JJ.
DATE : APRIL 25, 2017

P.C.

1 The appellant in person accepts that he has not filed this appeal under section 19 of the Contempt of Courts Act,1971. He states that the appeal is preferred under section 151 of the Code of Civil Procedure,1908. By the impugned order, the petition filed by the appellant appearing in person for initiating action for civil contempt under the Contempt of Courts Act,1971 has been dismissed by the learned Single Judge.

2 An appeal is always a creation of a statute. On plain reading of section 151 of the said Code, the present

appeal is not maintainable as the said provision does not create a remedy of Appeal. Hence, the Appeal is dismissed as not maintainable.

3 However, we make it clear that this order will not prevent the appellant from adopting appropriate remedy for challenging the impugned order.

(A.K.MENON,J.)

(A.S.OKA,J.)