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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELATE JURISDICTION

CONTEMPT PETITION NO.228 OF 2016

Sanjay Vishwanath Dabhade ..Petitioner.

V/s.

Administrator, Divisional
Commissioner, Konkan Division,
Mumbai & Ors.

..Respondents.

AND

M/s.Arihant Realtors,
Builders & Developers & Ors.

..Contemnors.

Mr.Ram U. Singh for the Petitioner.

Mr.S.H. Kankal, AGP for Respondent. No.1.

Mrs.Shilpa Kapil for Respondent No.2.

CORAM : K.K.TATED, J.

DATED : 7 JUNE, 2017

P.C.:-

Heard the learned counsel for the parties. Mr.Singh, learned counsel appearing for the Petitioner submits that an appeal preferred by him bearing Appeal No.478/2013 is pending before the S.R.A. for hearing and final disposal on its own merits. He further submits that he has received instructions from his clients to withdraw

the present contempt petition in view of the order dated 23 September, 2013 passed by this Court in Writ Petition No.8391 of 2013 and particular para 4 of the said order. To that effect he has given in writing on farad. The same is taken on record and marked 'X' for identification. The same is accepted.

2. Mrs. Shilpa Kapil, learned counsel for Respondent No.2 submits that the appeal preferred by the Petitioner is pending for last more than four years before the S.R.A. She submits that the S.R.A. may be directed to decide the said appeal as early as possible and in any case within six months from today.

3. Considering the submission made by learned counsel for the Petitioner and learned counsel for Respondents, the following order is passed :-

(a) The contempt petition is disposed of as withdrawn;

(b) S.R.A. is directed to decide Appeal No.478/2013

preferred by the Petitioner Sanjay Vishwanath Dabhade (deceased) through his legal heirs as early as possible but in any case within a period of six months from the receipt of the copy of the order passed by this Court;

(c) The Petitioner is directed to provide a copy of the Appeal No.478/2013 filed before the S.R.A. to the Advocate for Respondent Nos.1 to 3 within four weeks.

Parties to act on an authenticated copy of this order.

(K.K.TATED, J.)