

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 425 OF 2014**

Smt. Dhanshree D. Apraj

..Petitioner

Vs.

Jayant Mehta & Ors

..Respondents

Mr. B. R. Deshmukh for the Petitioner

**Mr. G. T. Kanchanpurkar i/b Mr. Abhijit Kandarkar for the Respondent
Nos.1 to 6**

CORAM : R. M. SAVANT, J.

DATE : 13th FEBRUARY, 2017

P.C.

1 The contempt alleged is of the judgment and order dated 18-7-2013 passed in Writ Petition No.6875 of 2012 by a Learned Single Judge of this Court. By the said order, the order passed by the Hon'ble Minister for Co-operation holding that the Respondent No.4 therein i.e. the Petitioner herein from membership of the society in question was illegal, was confirmed by the said order. The contempt alleged is on the ground that though the Petitioner has now been held to be a bonafide member of the society in question, the Petitioner has not been allotted a flat.

2 It seems that for the said relief the Petitioner has filed a substantive dispute being Dispute Application No.81 of 2016, in the Co-operative Court inter alia claiming the relief of allotment of flat and other reliefs. In view of the said dispute filed by the Petitioner, it is not necessary to

exercise the contempt jurisdiction of this Court on the said ground as also on the ground that prima facie there is no contempt of the said order dated 18-7-2013, as the said order only concerns the membership of the Petitioner of the said society and not the allotment of the flat. In that view of the matter, the Contempt Petition is dismissed.

3 However, since the Petitioner is litigating for the last more than 20 years, for membership and allotment of a flat the hearing of the Dispute before the concerned Co-operative Court is expedited.

[R.M.SAVANT, J]