

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.520 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.S.M. Sabrad, Advocate for Petitioner.

CORAM : R. G. KETKAR, J.

DATE : 05/01/2017

P.C.:

1. Heard Mr.S.M. Sabrad, learned Counsel for the petitioner.

2. This Petition is filed complaining breach of the order dated 31.1.2013 passed by this Court in Writ Petitions No.5298/2012 & 5299/2012. By that order, the Petitions instituted by the respondents herein were dismissed. On the oral application made on behalf of the respondents, the order dated 31.1.2013 was stayed for a period of eight weeks subject to the respondents giving undertaking to this Court within two weeks incorporating therein that in case they are unable to obtain suitable orders within eight weeks from higher Court, they will hand over possession to the

defendant. The respondents/plaintiffs did not file undertaking. They have challenged the orders by filing SLP before the Apex Court which was dismissed.

3. Mr. Sabrad submits that pending Contempt Petition, the defendant has received possession and, therefore, this Contempt Petition has become infructuous. As the respondents/plaintiffs have handed over possession of the property in dispute, this Contempt Petition is rendered infructuous and is accordingly disposed of. Order accordingly.

(R. G. KETKAR, J.)