

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO. 1 OF 2017
IN
PARSI SUIT NO. 17 OF 2015

Mehernosh J. Homavazir

..... Petitioner
(Org.Plaintiff No.1)

VERSUS

Sairin M. Homavazir

..... Respondent
(Org.Plaintiff No.2)

Ms.Sonaber P. Nanavati for the Plaintiff No.1.

Ms.Seema Sarnaik for the Plaintiff No.2.

Mr.M.R.Mandavgade, Officer on Special Duty from Court Receiver present.

The parties are present in court.

CORAM : R.D. DHANUKA, J.

DATE : 25th JULY, 2017

P.C.

Learned counsel appearing for the plaintiff no.1 tenders affidavit in rejoinder dated 24th July,2017 and has served a copy thereof upon the learned counsel for the plaintiff no.2. Learned counsel for the plaintiff no.2 states that since the copy of the rejoinder is served in court today, her client would proceed on the basis of the denial. Statement is accepted.

2. Pursuant to the order passed by this court, the plaintiff no.1 has handed over all the articles of the plaintiff no.2 lying in Flat No. 2C/402, Oakland Park, Yamuna Nagar, Andheri (West), Mumbai 400 058 to her. Learned counsel

appearing for the plaintiff no.2 states that all articles of her client are already received from the plaintiff no.1. Statement is accepted. Site Report submitted by the representative of the Court Receiver is accepted and is taken on record.

3. The Court Receiver is directed to convey the statement of account to the plaintiff no.1 within one week from today. If any surplus amount is lying in the account of the Court Receiver out of the deposit made by the plaintiff no.1, the same shall be returned to the plaintiff no.1. If there is any shortfall, the plaintiff no.1 shall pay the same to the Court Receiver within two weeks from the date of such communication from the Office of the Court Receiver.

4. Contempt Petition No.1 of 2017 is disposed of. No order as to costs.

(R.D.DHANUKA, J.)