

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CONTEMPT PETITION NO.11 OF 2017

IN

CONTEMPT PETITION NO.4 OF 2013

IN

COMPANY PETITION NO.387 OF 2011

Srinivasan Parthasarathy)....Petitioner

V/s.

M/s.Silvex Realty Pvt. Ltd. & Ors.)....Respondents

Mr.Jamshed Ansari a/w Mr.Anand Shitap for the petitioner.

Mr.Chirag Mody a/w Mr.Rishikesh Soni i/by DSK Legal for respondents.

CORAM : K.R.SHRIRAM,J

DATE : 31.10.2017

P.C.:-

1 Mr.Chirag Mody appearing for respondents on instructions states that it is not correct on the part of the petitioner to state that after the order of 21.8.2015, respondents did not take any steps to comply with the undertakings recorded in paragraph-8 of the said order. Mr.Mody relied on a letter dated 29.8.2016 written by the Advocate for respondents to the advocate for petitioner, copy whereof is at Exh.P to the petition. In paragraph-2, respondents have listed out the steps taken after the order of 21.8.2015 was passed so that possession can be handed over to petitioner. Mr.Mody states on instructions that all procedures are complete for obtaining occupation

certificate and it is almost in the verge of being issued except that the Collector has made a demand of Rs.29 lakhs towards labour cess whereas according to respondent no.1 the amount payable is only Rs.10 lakhs or much less than Rs.10 lakhs. Mr.Mody on instructions states that representations have been made to Collector to rework the demand. Copies of the same to be provided to petitioner within one week from today. Mr.Mody states that respondent no.1 may pay the amount demanded by the Collector and challenge the same in accordance with law but in any event, will not spare any efforts to see that occupation certificate is issued within 2 months from today.

2 In view of the statements made by Mr.Mody, Mr.Ansari states that the petition could be disposed. Petition disposed accordingly.

(K.R.SHRIRAM,J)