

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CONTEMPT PETITION NO.385 OF 2017
IN
WRIT PETITION NO.888 OF 2011**

Indus Towers Ltd.

.. Petitioner

V/s.

Dr.Mahindra Kalyannkar & Anr.

.. Respondents

.....

Mr.T. Kapadia a/w. Mr.Prasad Dhonde and Mr.Jigar Parmar i/b.
M/s.D.H. Law Associates, Advocate for the Petitioner.
Mr.B.V. Sawant, AGP for Respondent - State.

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**CORAM : S.C. DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.**

DATED : FEBRUARY 27, 2018.

P.C. :

We have heard the petitioner's advocate. We have perused the interim order of this Court. We do not see how the petitioner can allege civil contempt by making a vague and general complaint. There is no violation or breach of the interim order, merely because some notices have been sent charging penalty for the non agricultural user, styled as "Installation of Mobile Tower". The action can be challenged in the pending writ petition or in the substantive proceedings as being contrary to

law, but surely, dispatch of such notices of demand for the non agricultural user, cannot be a foundation for a civil contempt petition. The Civil Contempt Petition is entirely misconceived, it is dismissed.

(PRAKASH D. NAIK, J.) (S.C. DHARMADHIKARI, J.)