

rrpillai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 232 OF 2016

Smt. Jyoti Ganpatrao Jadhav
since deceased through her L.R.
Shri Sanjay Damodar Mohite

... Petitioner

vs.

Mr. Parth Maryappa Polke & Ors.

... Respondents

Mr. Rahul C Kate for the Petitioner.

Mr. Ajit J. Kenjale for the Respondent nos. 1 and 2.

CORAM : A.K. MENON, J.

DATE : 29th JANUARY, 2018

P. C.

1. The notice of contempt petition was issued to respondent nos. 1 and 2 returnable on 9th January, 2017. Thereafter, the respondent has appeared through Counsel. On several occasions the matter has been adjourned including by consent of parties. On 21st August, 2017 a statement came to be recorded by this Court to the fact that respondent have handed over a cheque of Rs.1,00,000/- to the petitioner's Advocate. Further time was granted to enable respondent to file a reply. Time was granted. Meanwhile a further sum of Rs. 50,000/- was paid as recorded in order dated 11th September, 2017, Meanwhile, the matter is listed today for compliance. Both Counsel state that the respondents have paid over the entire balance amount of Rs.5,57,021/- to the petitioner.

2. Mr. Kate on behalf of the petitioner has confirmed having received the demand draft for the said amount. In the circumstances, subject to its encashment, he seeks leave to withdrawn this petition. Accordingly, I pass the following order :

- (a) Contempt petition allowed to be withdrawn.
- (b) Notice issued to respondent nos. 1 and 2 stands discharged.

(A.K. MENON, J.)