

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

CONTEMPT PETITION NO. 305 OF 2018

Pravin V. Kulkarni & Anr.

..Petitioners

v/s.

Shivaji R. Bhujbal & Anr.

..Respondents

Mr.Sanjay Mehta for the Petitioner.

None for the Respondent.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 26TH NOVEMBER, 2018.**

P.C.

1. The petitioners herein have filed this contempt petition alleging breach of order dated 18th September, 2017 passed by this Court in Second Appeal No. 211 of 2016. Copy of the said order is placed on record at Exh. A page 13.

2. A perusal of the Order dated 18th September, 2017 indicates that with the consent of the parties, the judgment of the first appellate court dated 1st January, 2016 was set aside and the matter was remanded with direction to dispose of the same within a period

of six weeks from the date of the order. The parties were also directed to maintain status quo in respect of the suit property till the disposal of the first appeal. The records indicate that pursuant to the said order, the first Appellate Court disposed of the appeal vide judgment dated 12th March, 2018.

3. It is not the case of the petitioners that the respondents have disturbed the status quo or have committed any act in breach of the directions contained in order dated 18th September, 2017. The Contempt Petition is filed in view of publication of a public notice dated 11th May, 2018, which according to the petitioner amounts to civil contempt. In the said public notice the respondents had made a reference to the order 18th September, 2017 and stated that the High Court has directed the parties to maintain status quo till the disposal of the appeal. Publication of such notice does not amount to disobedience or breach of the judgment, decree, direction or order, writ or any other process of the Court.

4. Consequently, publication of notice does not constitute civil

contempt. The contempt petition has no merits and is accordingly dismissed.

(ANUJA PRABHUDESSAI, J.)