

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CONTEMPT PETITION NO. 307 OF 2016****Ramchandra Balu Kumbhar** **Petitioner****VERSUS****Dudhganga Sahakari Pani
Puravatha Sanstha Limited & Ors.** **Respondents**

Mr.Chetan G.Patil for the Petitioner.

Ms.S.R.Borulkar, a/w. Ms.Manoj Patil for the Respondent nos 1 to 3.

CORAM : R.D. DHANUKA, J.**DATE : 7th FEBRUARY, 2018****P.C.**

Mr.Borulkar, learned counsel for the respondents on instruction states that the petitioner would be supplied water on the plots of the petitioner in respect of which the petitioner is member of the respondent no.1 society w.e.f. 1st April, 2018 and would charge the petitioner at the rates being charged to all other members as per the provisions of bye-laws of the respondent no.1 society.

2. Learned counsel for the petitioner on instruction states that as and when such bills are received by the petitioner from the respondent no.1, the same would be paid by the petitioner within four weeks from the date of receipt of such bill.

3. It is made clear that if the petitioner commits any default for

making payment of such bills to the respondent no.1, which shall be issued in accordance with law, the society will be at liberty to disconnect the water connection in respect of such default forthwith upon such default.

4. It is made clear that this Court has not expressed any views insofar as the alleged arrears of the water charges allegedly payable by the petitioner to the respondent is concerned in respect of which the rival proceedings are pending before the appropriate court.

5. In view of the aforesaid arrangement arrived at between the parties, I do not propose to initiate any contempt proceedings against the respondents in this petition. Contempt petition is disposed of in the aforesaid terms.

6. The petitioner shall make an application in writing to the respondent no.1 society in advance before seeking water supply for a particular period. Upon receipt of such application, the respondent no.1 shall supply water to the petitioner. However, insofar as charges payable by the petitioner is concerned, the same would be in accordance with the bye-laws of the society.

7. It is made clear that the society will raise bill for supply of water as per the resolutions if any, passed by the respondent no.1.

[R.D. DHANUKA, J.]