

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

CONTEMPT PETITION NO.349 OF 2011

Amar Pratik Builders (I) Pvt. Ltd. & Ors.	..	Petitioners
Vs.		
Siddhant Complex Co-operative Housing Society Limited & Ors.	..	Contemnors/ Respondents

Mr.Ram U.Singh for the petitioners.
None for the contemnors/respondents.

CORAM : R.D. DHANUKA, J.
DATE : 26th June 2018

P.C.:

. The petitioners have filed this contempt petition inter alia praying for initiation of an action against the respondent nos.1 to 3 allegedly violated the order dated 17th August 2010 passed in Writ Petition No.10151 of 2009. The respondent no.1 had made a statement before this Court on 17th August 2010 that the respondent no.1 was ready and willing to pay the legal dues to the petitioners within a period of four weeks from the date of receipt of the said statement, supported by the bills.

2. A perusal of the correspondence exchanged between the parties, after passing the said order dated 17th August 2010 by this Court prima facie indicates that there is a dispute on the alleged amount due and payable by the respondent no.1 to the petitioners. In these circumstances, no case is made out for initiation of an action under the provisions of the Contempts of Courts Act, 1971 against the respondent

nos.1 to 3. Contempt petition is accordingly dismissed. It is however made clear that the petitioners would be at liberty to file appropriate proceedings for recovery of the alleged dues. This Court has not expressed any views as to whether the petitioners are entitled to recover any dues from the respondent nos.1 to 3 or not. The said issue is kept open. No order as costs.

R.D. DHANUKA, J.