

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
SUO MOTO CONTEMPT PETITION NO.299 OF 2018
IN
CIVIL REVISION APPLICATION NO.346 OF 2018**

High Court on its Own Motion	]	Petitioner
Vs.		
Ashok Sanghvi and others.	]	Respondents

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Mr. Amit Borkar, Amicus Curiae, for Petitioner.

Ms. Kausar Banatwala a/w Ms. Gauri Sakhardande i/b Tushar Goradia, for respondents in C.P.

Mr. Sandip J. Ghogare, for Respondents in C.R.A.

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CORAM : R.G. KETKAR, J.

DATE : 12TH OCTOBER, 2018.

P.C:

Heard Mr. Borkar, learned *Amicus Curiae*, Ms. Banatwala, learned Counsel for respondents in C.P and Mr. Ghogare, learned Counsel for respondents in C.R.A.

2. By order dated 11th July, 2018, C.R.A. No.346 of 2018 filed by M/s. Sanghvi Reality Pvt. Ltd (for short 'Company') was dismissed and *Suo Moto* contempt notice was issued to the Directors of the said Company. By order dated 27th August, 2018, Mr. Borkar was appointed as *Amicus Curiae* to assist the Court in the matter. In pursuance of the order dated 27th August, 2018, Mr. Borkar drafted the *Suo Moto Contempt Petition*.

3. Learned Counsel for the respondents have filed consent terms dated 31st July, 2018 duly signed by the parties and their Advocates as also orders passed by the learned trial Judge below Exhibit 1 and below Exhibit 36 in Execution Application No.546 of 2015 in R.A.D. Suit No.1580 of 2007. By order dated 1st August, 2018 below Exhibit 36, the learned trial Judge recorded satisfaction to the effect that the decree is fully and finally satisfied. By order dated 1st August, 2018, below Exhibit 1, Execution proceedings were disposed of.

4. Ms. Banatwala submits that the parties have also executed registered agreement dated 8th October, 2018. She, therefore, submits that the notice issued in the Contempt Petition may be discharged. Mr. Ghogare confirms that the parties have amicably settled the controversy raised in the execution proceeding and the registered agreement is executed between the parties on 8th October, 2018 and, therefore, nothing survives in this Contempt Petition.

5. In view thereof, notice issued against respondents is discharged. The Court appreciates the assistance rendered by the learned *Amicus Curiae*.

[R.G. KETKAR, J.]