

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

**CIVIL APPLICATION (ST.) NO.26829 OF 2018
IN
CONTEMPT PETITION NO.351 OF 2017**

Shilpa Sud and Anr. .. Petitioners

V/s.

Adarsh Saigal and Ors. .. Respondents

Mrs.Shilpa Sud, petitioner present in person
Mr.R.A.Shah with Mr.Vyas i/b M/s.Mansukhlal Hiralal and Co. for the
respondent no.4
Mrs.Hema Desai with Mr.Durga Prasad Halwai i/b M/s.Singhi and Co.
for the respondent no.5 and 6A

**CORAM: K.K. TATED &
SANDEEP K. SHINDE, JJ.**

DATED : SEPTEMBER 18, 2018

P.C. :

1 At the request of the Applicant, Shilpa Sud, party in person,
matter is taken on board for urgent order.

2 Heard Mrs.Shilpa Sud, petitioner in person and the learned
counsel for the parties.

3 By this Civil Application, Applicant is seeking several reliefs
including prayer clause (c) to discharge her advocate from the present

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Contempt Petition. Prayer clause (c) reads thus:

“(c) Pending the hearing and final disposal of the present Notice of Motion and present Writ Petition, the Vakalatnama of the petitioner to M/s.J. Law Associates may kindly be discharged.”

4 Advocate Ms.Srividya Venkat for M/s.J. Law Associates submits that they have no objection if prayer clause (c) is allowed. To that effect, she has given in writing. Same is taken on record and marked 'X' for identification.

5 Prayer clause (a) of the present Civil Application is pertaining to Criminal Writ Petition No.2945 of 2015. Hence, that cannot be considered in the present proceedings.

6 Prayer clause (b) is for recalling the order dated 17.09.2018 passed by this court in Contempt Petition No.351 of 2017. By this order, court has recorded that no one appeared on behalf of Petitioner. Hence, Petition stands adjourned for today under the caption for dismissal. There is no question of either for speaking to minutes of order and or for recalling the said order dated 17.09.2018.

7 Prayer clause (d) is for permission to allow the Applicant husband to appear in person and argue this matter. It is to be noted that Applicant in her letter dated 17.09.2018 addressed to the Prothonotary and Senior Master (Page 13 of the present Civil Application) specifically stated that she is well versed and conversant

with the matter. Paragraph 1 and 2 reads thus:

“1. I am well versed and conversant of the said matter and competent to present myself in the above said matter as party in Person. I have myself drafted the above said petition and therefore, I do not appoint any advocate to appear and plead for me in the said matter. I have removed all the office objections in the said matter.

2. The Certificate of appearance is the only compliance to be made for numbering and listing the matter for hearing.”

8 In view of her own statement, there is no question of allowing prayer clause (d) of the present Civil Application.

9 Prayer clause (e) is in respect of stay of the Contempt Petition No.351 of 2017. Today the matter is kept for hearing. There is no question of granting any stay.

10 In view of above mentioned facts, Civil Application is allowed in terms of prayer clause (c) only and prayer clause (a), (b), (d), (e), (f), (g) and (e) are rejected. Prayer clause (c) reads thus:

“(c) Pending the hearing and final disposal of the present Notice of Motion and present Writ Petition, the Vakalatnama of the petitioner to M/s.J. Law Associates may kindly be discharged.”

11 Civil application stands disposed off accordingly.

(SANDEEP K. SHINDE, J.)

(K.K. TATED, J.)