

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

***CONTEMPT PETITION NO.14 OF 2018
IN
WRIT PETITION NO.3792 OF 2016***

Seva Co-op. Housing Society (proposed)
Oshiwara, Jogeshwari .. Petitioner
Vs.
M/s.Reliance Enterprises Pvt. Ltd. & Ors. .. Respondents

Mr.Jayesh Bhatt for the petitioner.
Mr.Girish Godbole i/by Mr.Mark D'mello & Mr.Shaun Pinto for the
respondent no.1.

***CORAM : R.D. DHANUKA, J.
DATE : 28th February 2018***

P.C.:

. By this petition filed under the provisions of the Contempt of Courts Act, 1971, the petitioner seeks an action against the respondent no.1 and its directors for alleged non-compliance of the order dated 16th April 2016 in Writ Petition No.3792 of 2016.

2. This Court has passed an order dated 16th April 2016 in Writ Petition No.3792 of 2016 and has recorded a statement of the learned counsel for the respondent no.1 in paragraph 7 that 3 ineligible slum dwellers who are appellant nos.7, 9 and 12 before the Additional Collector will be given 18 months' rent and if they approach the competent authority along with documents for establishing their eligibility as per Government Resolution dated 16th May 2015 and if they are found eligible, then the respondent no.1 will also give all benefits which are otherwise given to 11 appellants who were found eligible.

This Court has accepted the statement of the learned counsel for the respondent no.1 and dismissed the writ petition with liberty to the petitioners to approach High Power Committee.

3. Being aggrieved by the said order passed by this Court, the petitioner no.1 society and others filed a Special Leave to Appeal No.13807 of 2016. By an order dated 25th April 2016, Supreme Court disposed of the said proceedings. Supreme Court recorded the undertaking rendered by the respondent no.1 that the respondent no.1 would pay all the 14 slum dwellers, referred to in the order dated 3rd March 2016, eighteen months' advance rent, within two days by way of post dated cheques. In view of this, Supreme Court disposed of the said proceedings after accepting the said undertaking with a direction to the petitioner nos.2 to 15 to vacate their hutments, within seven days from the date of the said order.

4. The order passed by this Court on 16th April 2016 has been merged with the order dated 25th April 2016 passed by the Supreme Court. In view of the alleged violation of the order passed by the Supreme Court, this Court has no jurisdiction to initiate an action against the order passed by the Supreme Court.

5. Contempt petition is accordingly dismissed. No order as to costs.

R.D. DHANUKA, J.