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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION No. 42 OF 2017
IN
WRIT PETITION No. 1993 OF 2011

Shri Saravana Co-op. Housing Society Ltd. ... Petitioner
Vs.
Municipal Corporation of Gr. Bombay & Anr.... Respondents

Mr. J. S. Shukla i/b Vaibhav Mehta & Associates, for the Petitioner.
Ms. Vandana Mahadik, for the Respondent - BMC.

CORAM : A. S. OKA, &
P. N. DESHMUKH, JJ.

DATE : FEBRUARY 21, 2018

PC :

1. The breach alleged in this petition is of order dated 3rd August, 2015 passed in Writ Petition No. 1993 of 2011. The present Petitioner was Respondent No. 6 in the said writ petition.

2. Today, the affidavit of Mr. Prashant Laxman Sapkale, Assistant Commissioner, K/E Ward is tendered across the bar. In clause (l) of paragraph 4 of the said affidavit, a statement has been

made that the subject structures have been completely demolished. The photographs thereof annexed to the said affidavit are from pages 62 onwards. The reasons for the delay in implementing the order have also been set out in the affidavit.

3. Though belatedly, a substantial compliance of the order dated 3rd August, 2015 has been made by the Municipal Corporation. Hence, there is no need to initiate the action under the Contempt of Courts Act, 1971 against the Municipal Corporation. Accordingly, contempt petition is disposed of.

Sd/-

[P. N. DESHMUKH, J.]

Sd/-

[A. S. OKA, J.]

Vinayak Halemath