

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION (L) NO. 105 OF 2018
IN
WRIT PETITION NO. 1434 OF 2018

Ahmedjan Habibullah Qureshi	.. Petitioner
Vs.	
State of Maharashtra and ors.	.. Respondents

Mr.Jayesh Bhatt, for the Petitioner.
Mr.Himanshu Takke, AGP for Respondent No.1 – State.
Ms.Trupti Puranik, for Respondent No.2 – MCGM.
Mr.S.P. Thorat, for Respondent No.3.
Dr.Milind Sathe, Senior Counsel a/w Mr.Harish Pawar, for Respondent No.4.
Mr.Saket More I/b M/s.Vidhii Partners, for Respondent No.5.

**CORAM : B.R.GAVAI &
M.S.KARNIK, JJ.
DATE : 3rd OCTOBER, 2018**

P.C. :

. The Petitioner has approached this Court by way of present Contempt Petition contending therein that Respondents No.4 and 6 to 10 have committed contempt of this Court.

2. It is the case of the Contempt Petitioner that when

the matter was listed before this Court on earlier occasion, a specific statement was made by the Respondent No.4 that the Petitioner would not be dispossessed. The statement was also made that the Respondent No.4 was willing to settle the matter with the Petitioner.

3. Shri Milind Sathe learned Senior Counsel appearing on behalf of the Respondent No.4 disputed this position. He stated that no such statement asserted by learned Counsel for the Petitioner was made by the Respondent No.4. Learned Counsel placed reliance on the judgment of Hon'ble Apex Court in the case of **State of Maharashtra Vs. Ramdas Shrinivas Nayak and anr. reported in (1982) 2 Supreme Court Cases 463.**

4. We have perused the record. Perusal of the record would not reveal that the Court has recorded any such statement made on behalf of any of the parties. The Court proceeds on the basis of the record and the statement which

would be reflected in the order of the Court. As to what transpires orally between the Counsel of the parties and the Court cannot be heard by the subsequent Bench. The subsequent Bench is not expected to enquire from the Judges presiding over the earlier Bench as to which of the parties, the one making assertions that the statement was made and the other which denies the same is making a correct statement.

5. In this view of the matter, we are unable to accept the contention raised on behalf of the Contempt Petitioner.

6. Contempt Petition is devoid of substance and as such dismissed.

(M.S.KARNIK, J.)

(B.R.GAVAI, J.)