

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CONTEMPT PETITION NO.206 OF 2018

(Shri Uday Laxman Mangrulkar ..vs.. Smt. Manda Bhanudas Joshi and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri H.I. Kothari, Counsel for the petitioner,
Shri S.B. Walekar, Counsel for the respondents.

CORAM : ROHIT B. DEO, J.

DATED : 03-12-2018

The original plaintiff is alleging that the respondents-defendants are guilty of contempt in view of an attempt to breach the undertaking given to the trial Court.

2. The defendants filed on record praecipe dated 06-4-2018 *inter alia* stating that the defendants shall not carry out any construction over the disputed area i.e. suit property admeasuring 215 square feet till the outcome of mediation.

3. Concededly, there is no construction carried out. The plaintiff alleged that an attempt to carry out construction was made. This is seriously disputed by respondents 1 and 2 who have filed on record their reply. Respondent 3 is present in Court. Respondent 3 assures the Court that the undertaking given to the trial Court vide praecipe dated 06-4-2018 shall be honoured.

4. No case for initiating action under the contempt of Courts is made out.
5. The contempt petition is disposed of accordingly.

JUDGE

adgokar