

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

CONTEMPT PETITION NO.236 OF 2015

Family Planning Medical Centre
Trust (E), Through Trustee

.. Petitioner

V/s.

Sanjay Sarode, Dy. Collector (Eviction
and Encroachment) and Anr

.. Respondents

Mr.Balasaheb R. Deshmukh for the petitioner

CORAM: K.K. TATED, J
DATED : JANUARY 21, 2019

P.C. :

1 Heard.

2 Advocate for the Respondent submits that though this court on 06.12.2013 directed Respondent to maintain status quo in respect of the suit structure, they demolished the same on 02.08.2014. Office note shows that matter already stands dismissed against Respondent no.2.

3 It is to be noted that on page 67 Exhibit-'T' there is a notice dated 17.02.2014 issued by the Corporation calling upon the Petitioner to remove unauthorised Zunka Bhakar Kendra at S.No.263, CTS No.7, village Malwani. Bare reading of the order dated 06.12.2013 shows that, court has permitted the

Respondent to take action against the Petitioner by following due process of law. Exhibit-T Notice dated 17.02.2014 itself shows that Respondent Corporation followed due process of law for demolishing the structure.

4 In view of these facts, I do not find any substance in the present Contempt Petition. Hence, Contempt Petition stands rejected.

(K.K. TATED, J.)