

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO. 16 OF 2016

IN

WRIT PETITION NO. 2601 OF 2010

V. Hotel's Ltd. & Anr .. Petitioners.

Vs

The State of Maharashtra & Ors .. Respondents.

Mr. R. S. Kohli a/with Mr. Vikram Chavan, Ms. Chandni Bhatt and Mr. L. Parekh
i/by Rajesh Mirchandani for the Petitioners.

Mr. Pakle a/with Ms. Vandana Mahadik & Ms. Sheetal Metakari for MCGM.

Mr. Hemant Haryan, AGP for Respondent-State.

Mr. Sambhaji Kadam "D" Ward Inspector K/West present.

**CORAM : S.J. KATHAWALLA &
B. P. COLABAWALLA, JJ.**

DATED :- 9th DECEMBER, 2019.

P.C. :-

1. The above Contempt Petition is filed by the petitioners alleging that the Municipal Corporation of Greater Mumbai (MCGB) has breached the order passed by this Court dated 11th July, 2011. The said order dated 11th July, 2011 is reproduced hereunder for ready reference :-

“The learned counsel appearing for petitioners states that without prejudice to their rights and contentions, the petitioners will deposit within a period of four weeks from today an amount of Rs.1,40,00,000/- with the Corporation. The amount so deposited shall be held by the Corporation in deposit and shall be accepted by the Corporation on condition that the same will be refunded to the petitioners if so directed by this Court and on such terms and conditions as may be directed by this Court. Statements are accepted. Put up after four weeks.

Parties to act on the copy of this order duly authenticated by the Associate/Private Secretary of this Court.

Certified copy expedited.”

2. The learned advocate appearing for the Municipal Corporation on instructions from Mr. Sambhaji Kadam, “D” Ward Inspector, K/West, MCGB, Mumbai states that they will hold the amount of Rs. 1,40,00,000/- with the

Municipal Corporation as deposit and will continue to do so till the final disposal of the Petition. He also states that the said amount or any part thereof shall be refunded to the petitioners, if so directed by this Court. The statement is accepted. In view of the above, the Contempt Petition is accordingly disposed of.

3. Place the Writ Petition for hearing and final disposal on 24th February, 2020 at 3:00 p.m.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)