



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CONTEMPT PETITION NO.183 OF 2020
IN
SECOND APPEAL NO.217 OF 2018

Ludger C.P Monterio and ors **Vs.** Smt. Nalini Virendrasingh Kanheria and ors.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Mr. S. S. Sharma, Advocate for petitioner No. 3 and 4.
Mr. V. B. Gawli, Advocate for respondent No.1 and 2.
Ms. S. Thakur a/w. Mr. S. Sonwane, Advocate for respondent No.4.

CORAM : ROHIT W. JOSHI, J.

DATE : 19.11.2025.

. Ms. Shiba Thakur, learned Advocate for respondent No.4, makes a statement that respondent No.4 is ready for cancellation of the sale deed dated 23.12.2019, which is at record page No.260. The learned Advocate, however, states that respondent Nos.1 and 2 are the vendors and respondent No.4 is the purchaser. She draws attention to the Power of Attorney on the basis of which the sale deed was presented for registration. This power of attorney dated 14.08.2018 is at record page No.274.

2. Perusal of the said power of attorney will demonstrate that respondent No.4 has presentation power for registration of the document on behalf of respondent Nos. 1 and 2. Respondent No.4 does not have power or authority to execute document of cancellation on behalf of respondent Nos.1 and 2 under the said power of attorney dated 14.08.2018. The statement

made by the learned Advocate for respondent No.4, on instructions from respondent No.4, that respondent No.4 is ready for executing deed of cancellation of the sale deed dated 23.12.2019, is accepted as undertaking to the Court.

3. Learned Advocate for respondent Nos.1 and 2, Mr. V. B. Gawali makes a statement that despite telephonic communication, respondent Nos.1 and 2 are not responding to his calls. Respondent Nos.1 and 2 are directed to remain personally present before this Court on **01.12.2025**.

4. Issue notice to respondent Nos.1 and 2 by speed post and other permissible modes of private service, returnable on **01.12.2025**.

5. Petitioner to file affidavit of service before the next date.

(ROHIT W. JOSHI, J.)

Tanmay...