

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CONTEMPT PETITION NO. 130 OF 2017 IN
WRIT PETITION NO. 5097 OF 2014 (D)

Dhiraj s/o Mangalprasad Jaiswal ..VS.. Shri Madhusudan Gujar, President Ekvira Nagri
 Sahakari Pat Sanstha Ltd. and ors.

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

Court's or Judge's orders

Shri C.B. Dharmadhikari, Advocate for petitioner.
 Shri A.A. Naik, Advocate for respondents.

CORAM : ROHIT B. DEO, J.

DATED : 16th OCTOBER, 2019

The contempt alleged is of the judgment and order dated 25.02.2016 in Writ Petition 5097 of 2014 whereby the Bank was permitted to proceed further in the matter of auction of the property and it was directed that the Bank shall make it clear that the auction sale is subject to the result of Second Appeal 173 of 2014 and the decree passed in Regular Civil Suit 22 of 2015.

2. The contempt petition is premised on the non-discloser of the Bank of the said litigation while publishing the auction notice. Learned Counsel Shri A.A. Naik for contemnors states that in the proclamation of sale, the pendency of the litigation was disclosed. Be that as it may, the learned Counsel for the petitioner Shri C.B. Dharmadhikari states that since the Bank is restrained from auctioning the property in Civil Suit 20 of 2018, nothing survives in the contempt petition.

3. Hence, contempt petition is disposed of accordingly.

JUDGE