

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

CONTEMPT PETITION NO. 86 OF 2020
IN
WRIT PETITION NO. 11026 OF 2018

Orange Medicare and Research Centre Pvt. Ltd. .. Petitioner
Vs.
Shri Gautam Eknath Thakur & Ors. .. Respondents

Ms. Shruti Tulpule i/b Mr. Suimit S. Kothari for the Petitioner.
Mr. Bhupesh V. Samant for Respondent Nos.1 to 3.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 21st FEBRUARY, 2020.

P. C. :

1. Contempt alleged is non-compliance of the order dated 22.12.2018 passed in Writ Petition No. 11026 of 2018 Rajkumar K. Gaikwad & Anr. Vs. The Saraswat Co-operative Bank Ltd. & Ors.
2. The Writ Petition was disposed of by consent.
3. The Writ Petition was filed by Rajkumar K. Gaikwad and his wife Sadhana Gaikwad. The Consent Terms was that upon Mrs. Sadhana Gaikwad paying ₹ 1 Crore to the Respondents concerned the loan accounts of the Petitioner, her personal property over which a mortgage was created by her shall be released. The sum of ₹ 1 Crore was to be paid in two installments on the dates as per paragraphs (a) and (b) of paragraph 4 of the Consent Terms.

4. Mrs. Sadhana Rajkumar Gaikwad complied with the Consent Terms and has availed benefit of the Consent Order i.e. the property mortgaged by her has been released.

5. Pleadings in the Contempt Petition are to the effect that the Respondent-bank has not given credit of ₹ 1 Crore paid by Mrs. Sadhana Gaikwad to the benefit of the Petitioner i.e. the loan account has not been credited ₹ 1 Crore.

6. This is incorrect. In the reply filed by Respondents it is pleaded that the sum of ₹ 1 Crore was credited in the following manner:

- (i) Loan Account No. SLPUB-82 ... ₹ 52,00,000/-
- (ii) Loan Account No. SLPUB-211 ... ₹ 25,00,000/-
- (iii) Loan Account No. SLPUB-221 ... ₹ 23,00,000/-

The said credit has been granted as of 07.02.2020 with reference to the value date being 31.01.2019.

7. The instant Contempt Petition was filed on 29.01.2020.

8. Since needful has been done by the Respondents, the Contempt Petition is disposed of as infructuous.

[SMT. BHARATI DANGRE, J.]

[CHIEF JUSTICE]

Arjun
M.
Kadam

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