

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.16 OF 2020
ALONG WITH
CONTEMPT PETITION NO.17 OF 2020

Pushpa G. Shetty .. Petitioner

Vs.

The Munciiipal Corporation of
Greater Mumbai & Ors. .. Respondents

...

Mr. Rajesh Dixit i/b Mr. V.R. Tripathi for the Petitioner.

Mr. Santosh P. for the MCGM.

Mr. Sushant Godbole, Sub-Engineer, G/South Ward and Mr. Krunal, B.S., Jr. Engineer, are present in the Court.

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CORAM: SMT. BHARATI DANGRE, J.

DATED : 04th MARCH, 2020.

P.C:-

1. The Contempt Petitions are filed by the Petitioner alleging that the undertaking tendered by the Respondents before the City

Civil Court at Bombay in two suits filed by the Petitioner has not been honoured. On 07/09/2018, the City Civil Court at Bombay accepted the statement made on behalf of the Corporation that the Plaintiff is eligible for permanent alternate accommodation and her name is also contained in Annexure-II. A statement was specifically made that the Corporation will not demolish the suit structure till the permanent accommodation is provided. Accepting the said statement, the suit and the Notice of Motion were disposed of.

2. Learned counsel for the Petitioner makes a categorical statement that in spite of the said undertaking, her premises has been demolished on 14/11/2019 without abiding by the undertaking made before the court.

3. Learned counsel for the Corporation makes a categorical statement that they are ready and willing to provide an alternate accommodation and his submission is to the effect that there was some discord about the premises to be made available as alternative premises. He however, submits that the Corporation would diligently follow up the matter and offer the premises to the Petitioner as undertaken by them while passing the order dated 07/09/2018 and the entire exercise would be completed within eight weeks from today.

4. Accepting this statement as an undertaking to this court, the Contempt Petitions are disposed of.

[SMT. BHARATI DANGRE, J.]