

IN THE HIGH COURT OF BOMBAY AT GOA

Contempt Petition No.4 of 2020

**MADGAUM URBAN
CO-OPERATIVE BANK
LTD., THR. ITS AUT.
OFFICER, KISHOR S.
AMONKAR.,**

...Petitioners

Versus

GAUTAM AMONKAR.,

...Respondents

**Mr. R. G Ramani, Senior Advocate with Mr. P. Kakodkar, Advocate, for the
Petitioners.**

Mr. Gaurish Agni, Advocate for the Respondent no. 1.

**CORAM: M. S. SONAK &
M. S. JAWALKAR, JJ**
DATED: 22nd July, 2021

PC:-

1. Heard Mr. Ramani, the learned Senior Advocate, who appears with Mr. P. Kakodkar for the petitioners and Mr. G. Agni, the learned counsel for the respondent.
2. Mr. G. Agni submits that the order dated 27/9/2017 was interpreted by the respondent to mean that the premises have to be vacated within 48 hours of the Writ Petition No.585 of 2017 being dismissed on merits. He submits that since the Writ petition was not dismissed on merits, there was no question of vacating the premises in terms of the order dated 27/9/2017.
3. There is nothing in the order dated 27/9/2017 to support the aforesaid construction. In any case, W.P. No.585 of 2017 was dismissed by this Court vide its Judgment and order dated 8/2/2019. However, interim relief which was in operation was extended for a period of two months in order to enable the respondent herein to obtain interim orders from the DRT.

4. Till date, no interim orders have been obtained though, Mr. Agni states that the proceedings have been instituted before the DRT and further, even the petitioner-bank was informed about institution of such proceedings.

5. Mr. Agni, the learned counsel for the respondent, on instructions, states that interim relief will be pressed for before the DRT and if no interim relief is obtained within six weeks from today, then, the respondent will vacate the suit premises and hand over the possession to the petitioner-bank by the end of the seventh week from today.

6. The aforesaid statement is accepted as an undertaking to this Court and this Contempt Petition is disposed off.

7. All concerned to act on authenticated copy of this order.

M. S. JAWALKAR, J.

M. S. SONAK, J.