

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 803 OF 2019
IN
CONTEMPT PETITION (ST) NO. 24465 OF 2019
Shriran Unit No.12 Co-operative Housing
Society Ltd., Through Secretary,
Vinayak V. Naik & Anr. Applicants
VERSUS
The State of Maharashtra & Ors. Respondents

ALONGWITH
CONTEMPT PETITION (ST) NO. 24465 OF 2019
Vinayak V. Naik & Anr. Petitioners
VERSUS
The State of Maharashtra & Ors. Respondents

Mr.Sumit Kate, i/b. Dr.U.P.Warunjikar for the Petitioners.

Mr.V.D.Patil, i/b. Mr.Kalpesh Patil for the Applicant in IA/803/2019.

Mr.Rajan S. Pawar, A.G.P. for the State – Respondent.

CORAM: R. D. DHANUKA AND
V. G.BISHT, JJ.
DATE : 31st MARCH, 2021

P.C. :-

By this interim application, the applicants seek intervention in this contempt petition to assist this Court and to demonstrate that the contempt petition is not maintainable. There is no contempt alleged against the applicants. The parties against whom the contempt is against are entitled to defend their action and to point out that the contempt petition is not maintainable or that they have not committed

any contempt of any order passed by this Court. We are thus not inclined to permit the applicants to intervene in this contempt petition. The contempt is between the Court and the contemptnor. No third party is allowed to intervene. Interim application is accordingly dismissed. No order as to costs.

2. Issue notice upon the respondent nos. 2 and 3 returnable on **9th June, 2021**. It is made clear that this notice is not the show cause notice under the provisions of Contempt of Courts Act, 1971.

3. Affidavit in reply, if any, shall be filed within two weeks from the date of service of the papers and proceedings with a copy to be served upon the petitioners' advocate simultaneously.

4. The petitioners shall indicate on the next date as to which order of this Court is violated by the respondent nos. 2 and 3.

5. It is made clear that we have not granted any stay to any proceedings between the parties or between the petitioners and the applicants.

[V.G.BISHT, J.]

[R. D. DHANUKA, J.]