

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.9/2020
IN
WRIT PETITION NO.452/2021

Mrs. Lalita Vellappan Petitioner

Vs.

Ramesh Ramnathan & Anr. Contemnors

In the matter between:

Sayed Asad Akhtar & Ors. Petitioners

Vs.

The Dy. District Registrar of
Coop. Societies & Ors. Respondents

Ms. Pratibha Rupnawar for the Petitioner
Ms. Apurva Manwani for Respondent No.3.
Mr.Himanshu Takke, AGP for the State
Ms. Apurva Manwani I/b. A & A Legal for the Respondents

**CORAM: K.K.TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATED : AUGUST 6, 2021

P.C.

1 Heard. The learned counsel for the Petitioner submits that as the Respondents have failed and neglected to comply with the order dated 18.04.2019 they filed the Contempt Petition. She submits that this court, by order dated 18.04.2019 had directed the Authorized Committee

not to interfere with the affairs of the administration of the society till the next date. She submits that in spite of these facts, two members of the Authorized Committee had issued cheque dated 20.06.2019 bearing No.043746 in favour of the Adani Electricity, Mumbai towards the payment of the electricity bill. She submits that though the Petitioner has called upon the members of the said Committee to hand over the papers and proceedings of the society, they failed and neglected to do so. Hence, the present Contempt Petition.

2 The learned counsel for the Petitioner submits that during pendency of the Writ Petition, Respondent No.1 and 2 filed Affidavit in Reply dated 22.02.2020. She submits that both the Respondents have specifically stated in para 6(j) that they have no objection to hand over the cheque book and other bank related documents which in their custody, to the Petitioner. Said paragraph reads thus:

“6(j) The Contemnors submit that no request has been made by the Petitioner for handing over the Cheque Book and other Bank related documents in their possession. The Contemnors submit that they are ready and willing to handover the same.”

3 The learned counsel for the Petitioner submits that if both the Respondents are ready and willing to comply with their statement made in the affidavit dated 22.02.2020, she has received instructions from her client to withdraw the Contempt Petition, unconditionally. The statement is accepted.

4 The learned counsel for Respondent Nos.1 and 2 undertakes that they are ready and willing to handover the cheque book and bank related documents to the Petitioner within two weeks from the date of receipt of copy of this order. The statement is accepted.

5 In view of these facts, following order is passed:

- a. Respondent Nos.1 and 2 are directed to hand over the cheque book and other bank related documents in their custody, to the Petitioner within 15 days from the date of uploading this order by the Registry of this Court.
- b. The Contempt Petition stands disposed of accordingly.
- c. No order as to costs.
- d. Parties to act on an authenticated copy of this order.

(PRITHVIRAJ K. CHAVAN, J.)

(K.K.TATED, J.)