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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3583 OF 2021
IN
(SUO MOTO) CONTEMPT PETITION NO. 193 OF 2020**

BILKIS ABDULLAH KAZI

....APPLICANT

V/s.

HIGH COURT ON ITS OWN MOTION

....RESPONDENT

**WITH
(SUO MOTO) CONTEMPT PETITION NO. 193 OF 2020
IN
WRIT PETITION (ST) NO. 93014 OF 2020**

HIGH COURT ON ITS OWN MOTION

....PETITIONER

V/S.

MR. HIMANSHU VERMA, CHAIRMAN
MANAGING DIRECTOR OF M/S.
NAVRATTAN BLUE CRETE INDUSTRIES
PVT LTD.

....RESPONDENT

Mr. Vishal Kanade a/w Ms. Manisha Virkhare, Mr. Sachin Mahagavkar, Ms. Shraddha and Ms. Ankita Ved i/b Divya Shah Associates for the Applicant in IA and for Respondent in Contempt petition

Mr. S. D. Rayrikar AGP for Respondent in IA
None for Petitioner in Contempt Petition

CORAM : NITIN W. SAMBRE, J.

DATE: JUNE 20, 2022.

P.C.:

- 1) In view of the order dated 08/04/2022, attempts were made to serve the contemnor. Fact remains that contemnor represented before this Court through a lawyer and since said lawyer stopped appearing, this Court was prompted to pass the order dated 08/04/2022 directing fresh notice.
- 2) Attempts to serve notice to contemnor remained futile as address on which notice was sought to be served was informed to be changed without any intimation.
- 3) As such, it appears that contemnor on his own abandoned his claim in the present matter.
- 4) In this background, having regard to the fact that amount of Rs. 17,85,000/- with accrued interest is due and receivable by the Applicant towards accommodation charges, Application is allowed in terms of prayer clause 15(a) which reads thus:

“a. that this Hon’ble Court be pleased to pass an Order allowing the Applicant to withdraw a sum of Rs. 17,85,000/- (Rupees Seventeen Lakh Eighty Five Thousand Only) being deposited by the Petitioner in the present Petition.

- 5) As Mr. Kanade, counsel appearing for the Decree Holder submits that if order of eviction and payment of accommodation is complied with, he has no objection in finally disposing of the contempt proceedings.
- 6) In the aforesaid background, contempt proceedings stands disposed of.
- 7) Applicant is also permitted to withdraw accrued amount of interest on the amount aforesaid.

[NITIN W. SAMBRE, J.]

Note: This order is modified pursuant to speaking to minutes order dated 11th October 2022.