

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

**INTERIM APPLICATION NO.1321 OF 2022
IN
WRIT PETITION NO.1736 OF 2019
WITH
CONTEMPT PETITION (L) NO.25 OF 2022**

Shri. Vasant Raghunath Holkar and Anr. ..Applicants

IN THE MATTER BETWEEN

Ms. Priya Sameer Holkar ..Petitioner

Versus

Deputy Collector (GAD),
Mumbai City, Mumbai and Ors. ..Respondents

Mr. Uday Bobade i/by Mr. Aditya Andhorikar, for the
Petitioner in WP No.1736/2019.

Mrs. Jyoti Chavan, AGP for Respondent Nos.1 & 4.

Dr. Vipan Kumar a/w Trupti Bharadi & Krishna Dhodhi, for
Respondent Nos.2 & 3 in WP No.1736/2019 & for
Applicants in IA No.1321/2022 & in Contempt Petition.

CORAM : NITIN W. SAMBRE, J.

DATE : 6th JULY, 2022

P.C.

1. In the main petition the challenge is to the order
passed by the Senior Citizens Tribunal which is questioned
by the widowed daughter-in-law.

2. The petition is already admitted vide order dated
2nd May, 2018, wherein certain obligations were casted on

the petitioner such as payment of maintenance of Rs.10,000/- per month, which I am informed is honoured, to maintain *status-quo* in respect of the properties belonging to the firm, namely, Print Home and Print World, to make repayment of the loan as against the mortgage of property/flat in Building No.22, Room No.401, Omkar Co-operative Housing Society, Nehru Nagar (East), Kurla, Mumbai in Kurla Nagrik Bank, also to secure the property being 905, Hari Kunj Co-operative Housing Society, Hemu Kalani Marg, Sindhi Society, Chembur, Mumbai-400 071 and to furnish the accounts in relation to the properties of the firm.

3. It is claimed that the aforesaid order is breached as the certain properties of the firm are transferred without the consent of the applicants i.e. original respondents to the petition, accounts are not settled, accounts are not given and the loan liability not discharged.

4. In the aforesaid background, the prayer in the interim application is for dismiss the petition by vacating the ad-interim order or else the compensation be directed to be paid.

5. The prayer is objected by the original petitioner i.e. non-applicant to the interim application by filing detail reply. The contentions in said reply are disputed that to be

without any legal basis by the applicants in interim application.

6. In the aforesaid background, as far as prayer for dismissal of petition is concerned, which was admitted after hearing parties to the same, no interference is warranted to the said extent.

7. As far as prayer for payment of compensation is concerned, there is no basis made out in the application, even for grant of such prayer. Keeping such option open to the applicant by taking recourse to appropriate proceedings with complete details, I see no reason to interference.

8. The interim application as such stands rejected with liberty as aforesaid.

[NITIN W. SAMBRE, J.]