

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CONTEMPT PETITION NO. 33 OF 2022
IN
SECOND APPEAL NO. 18 OF 2014

Sau. Nirmala Shrirang Endole and ors.

...VERSUS...

Shamrao Balaji Wagh

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms. Radhika G. Bajaj, Advocate for the petitioners.
Shri D.R.Khapre for respondent.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 04th AUGUST, 2022.

1. The petitioners alleged that there is a contempt of this Court due to disobedience of order passed by this Court on 22/12/2014.

2. The petitioners were allowed to have 1/3rd share of water in the suit Well situated at survey no. 49. After issuance of notice before admission, the respondent had filed his reply. In the reply, it was pointed out that there was a complaint lodged by the respondent, as the petitioners were using the entire water in the suit Well. However, he further submitted that he is willing to purge the alleged contempt and is ready to co-operate with the petitioners for use water in the suit Well as per the direction of this Court.

3. The learned counsel for the petitioners has no objection to purge the contempt by the respondent as the

respondent agreed to allow the petitioner to use 1/3rd share of the water in the suit Well.

4. As such, the respondent abides by his undertaking that the petitioners should not be restrained by him or any of his legal representatives to use 1/3rd share of water in the suit Well. The petitioner is also restrained from using more than 1/3rd share of the water in the Well.

5. Accordingly, the contempt petition is disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar