



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**909 CONT. PETITION NO. 375 OF 2017
IN SA/435/2006**

SAKHARBAI MANIK PATIL

VERSUS

GANGARAM DEVCHAND PATIL DECEASED THRO LRS NARMADABAI AND
OTHERS

Mr.B.R. Kedar, Advocate for the petitioner.

Mr.D.B. Thoke h/f. Mr.Saurabh Avhad, Advocate for R-1a, 1b and 3.

Mr.V.B. Patil, Advocate for respondent No.2.

CORAM : KISHORE C. SANT, J.

DATE : 10.09.2024

PC :-

01. Heard.

02. This contempt petition is filed alleging contempt at the hands of respondent Nos. 1A, 1B, 2 and 3. It is alleged that the respondents have committed contempt of the order passed by this Court dated 14.06.2024, whereby the parties were prevented from transferring the property and creating third party interest in the property. This order was passed in Civil Application No. 8494 of 2016 and Civil Application No. 738 of 2015 in Second Appeal No. 435 of 2006. It is alleged that inspite of this order, the respondents

have executed sale-deed in favour of one Kiran Ashok Bhosale. It is stated that the receipt was passed after the date of order dated 14.06.2016. Prayer is, therefore, made to initiate action of contempt against the respondents.

03. Learned Advocate Mr. Patil points out from the reply that in-fact sale deed is executed on 13.06.2024 i.e. prior to the order dated 14.06.2024. The document was presented before the Sub-Registrar for registration on 13.06.2016. The consideration was also paid on 13.06.2016. Because of technical glitch in the system in the office of Sub-Registrar the challan was processed on 16.06.2016. Issuing challan and making its payment on 16.06.2016 is only because of the technical glitch. He thus submits that no provisions of the Contempt of Courts Act are attracted.

04. After hearing the parties at length this Court finds that the actual transaction has taken place on 13.06.2016 i.e. prior to the date of order passed by this Court. As such, this Court finds that no case is made out that impugned order is flouted

deliberately by the respondents. No contempt is made out calling for taking cognizance by this Court. The Contempt Petition, thus, stands dismissed and disposed off as such.

[KISHORE C. SANT, J.]