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41cp866.24

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

**41 CONT. PETITION NO. 866 OF 2024
IN WP/3977/2024**

SOMNATH SADASHIV KANKATE

....Petitioner

VERSUS

YASHRAJ SANTOSH KUTE

.....Respondent

Mr. S. S. Thombre, Advocate for the petitioner

CORAM : KISHORE C. SANT, J.

DATE : 10th DECEMBER, 2024

P. C.

1. Heard.

2. This petition is filed alleging the contempt of the order passed by this court at the hands of the respondents.

3. This court by order dated 17-04-2024 had directed the parties to maintain the status-quo as regards suit property.

4. Now it is contended that in spite of this order and in

spite of knowledge of the order, the respondents are carrying out the construction over the suit property.

5. Admittedly the order dated 17-04-2024 was passed ex-parte when the respondent was not before this court.

6. There is nothing on record thereafter to show that any specific notice was given to them by the petitioner. There is also no sufficient material on record to come to conclusion that deliberately the respondents are disobeying the order passed by this court.

7. This court is of the opinion that no specific case is made out against the respondents. Considering that, the contempt petition deserves to be dismissed and the same is hereby dismissed.

[KISHORE C. SANT, J.]