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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 290 OF 2024

Shri Rajendra Raghunath Bhosale ... Petitioner

vs.

Balasaheb Gopinath Kardake and Ors ... Respondents
Mr. Uday B. Nighot, for Petitioner.

CORAM : GAURI GODSE, J.

DATED : 7th MAY 2024

P.C. :-

1. This Contempt Petition alleges a breach of the order dated 17th September 2021, passed by the Civil Court. The suit is still pending. Petitioner has the remedy to make an application under Order XXXIX Rule 2A of the Civil Procedure Code before the Civil Court. The petitioner also has remedy to make an appropriate application for seeking striking off the defence of the defendants if any breach is committed by them.

2. When there is an alternate remedy available, normally, contempt jurisdiction need not be invoked. I therefore do not see any reason to invoke the contempt jurisdiction. Hence, contempt petition is dismissed.

3. Needless to record that the petitioner is at liberty to make an appropriate application before the Civil Court.

(GAURI GODSE, J.)