

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.396 OF 2024
IN
WRIT PETITION NO.11098 OF 2022**

Murphy Electronics Pvt. Ltd. & Anr. .. Petitioners

Vs.

Union Bank of India & Anr. .. Respondents

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Mr. Harshad Sathe, Advocate for petitioners.

Mr. Rakesh Singh with Ms. Heena Shaikh i/by M. V. Kini & Co.,
Advocates for respondents.

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**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 31th JULY, 2024.

P.C. :

1. The grievance of the petitioners is based on the observations made in paragraph 4 of the order dated 19/10/2022 passed in Writ Petition No.11098 of 2022 (*Murphy Electronics P Ltd. & Anr Vs Union Bank of India*). Paragraph 4 of the said order reads as under:-

4. Mr. Singh states that this relief has also to be raised before DRAT and Petitioner may approach Respondent with this suggestion and persuade Respondent to accept this suggestion. We cannot have any objection to the suggestion made by Mr. Singh.

Mr. Phadke states that his instructions are Respondent has disposed certain hypothecated/pledged movables but no details have been furnished to Petitioner. Mr. Singh states Petitioner may write to Respondent, and Respondent will respond suitably. If Petitioner makes such a request, Respondent shall respond with complete particulars within seven days of receiving said communication.

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2. In response, the respondents had filed affidavit alongwith the communication dated 09/01/2023 which is stated to be the response to the petitioner's communication dated 28/12/2022. It has been stated therein that after the Original Application was decided by the Debts Recovery Tribunal on 13/12/2009, no goods were sold.

3. The learned counsel for the petitioner seeks to contest the correctness of this statement. The petitioners are free to do so but in appropriate proceedings. The respondents having replied to the communication dated 28/12/2022, the same would not amount to non-compliance of the directions issued in paragraph 4 of the aforesaid order.

4. Hence by clarifying that the petitioners are free to challenge the contents of the communication dated 09/01/2023, the present proceedings are not entertained.

5. The Contempt Petition is disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]