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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13561 OF 2024**

Anuradha Anuj Sharma ... Petitioner
vs.
Anuj Sharma ... Respondent

**WITH
CONTEMPT PETITION NO. 487 OF 2023
IN
WRIT PETITION NO. 6569 OF 2022
WITH
INTERIM APPLICATION (ST) NO. 24800 OF 2024
IN
CONTEMPT PETITION NO. 487 OF 2023**

Anuj Sharma ... Petitioner
vs.
Anuradha Anuj Sharma, through Mrs. Shalini Aggarwal(POA No.1) and Mr. Amit Sharma (POA No.2) ... Respondent

Mr. Abhijit Sarwate for Petitioner in WP/13561/24, WP/65691/22 and Respondent in CP/487/23.

Mr. Rohan Cama, Mr. Jania Jain , Mr.Vinayak Pandit, Ms. Maitreyee Garade i/b. Ajinkya Udane, for Respondent in WP/13561/24, WP/6569/22 and for Petitioner in CP/487/23.

CORAM : GAURI GODSE, J.

DATED : 11th OCTOBER 2024

ORDER:

1. Learned counsel for the respondent submits that the contempt petitions are listed at Serial No. 140. He therefore requests that the contempt petition and the present petition be heard together. When a query was put to the learned counsel for the petitioner whether the respondent is present, he submits that since the contempt notice does not mention that she should remain present, she is not present. It is well settled that under sub rule(1) of rule 9 of the Contempt of Courts(Bombay High Court) Rules, 1994, when the contempt notice is served upon the person who is charged with the contempt has to remain present and shall continue to remain present till the proceedings are finally disposed of.

2. Since the contempt petitions are listed at Serial No. 140 and the same were called out alongwith Serial No. 81, which is connected with the same dispute I am not inclined to pass any order to secure the presence of the respondent.

3. Learned counsel for the respondent in the contempt petition submits that the respondent is not in India and she has also not filed any application for exemption from personal presence. Hence, to give an opportunity to the contemnor to remain present, list the contempt petition and present writ petition on 18th October 2024.

4. Interim Application (St) No. 24800 of 2024 be listed alongwith the aforesaid matter on the next date.
5. To be listed High on Board.

(GAURI GODSE, J.)