



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.214 OF 2024

Paul Rozario Alvares

Since Deceased

Rocky paul Alvares & Ors.

...Petitioners

Versus

Abhishek Rajiv Bhujbal

...Respondent

WITH

WRIT PETITION NO.7623 OF 2007

Paul Rozario Alvares

...Petitioner

Versus

State of Maharashtra And Ors.

...Respondents

Adv. Dorman J. Dalal for the Petitioner.

Adv. Divyesh Jain i/b Mohan Gawade for the Respondent.

Adv. Priyanka B. Chavan AGP for the State.

Coram : Sharmila U. Deshmukh, J.

Date : July 16, 2024.

P. C. :

1. Learned counsel for the Petitioner points out the order of this Court dated 1st December, 2023 whereby statement was made by Respondent No. 8 i.e. the contemnor herein that he will not create any third party interest in respect of the suit property except with leave of the Court.

2. Learned counsel for the Petitioners has taken this Court

through the photographs which have been annexed in the Petition which shows that on 28th January, 2024 the contemnor issued advertisement for sale of the plots.

3. Upon a query by this Court as to whether there has been creation of third party rights without leave of the Court as directed by order dated 1st December, 2023, learned counsel for the Petitioner points out the amended paragraph Nos. 17A and 17B, whereby, there is specific pleading that the contemnor has created third party rights.

4. Let an affidavit-in-reply be filed by the contemnor within a period of one week with an advance copy to the other side dealing with the pleadings in the Petition and in particularly with paragraph Nos. 17A and 17B. It is expected that a specific averment will be made in the affidavit as regards the third party rights being created in the suit plot after passing of the order of 1st December, 2023.

5. List on **23rd July, 2024.**

[Sharmila U. Deshmukh, J.]