
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 281 OF 2024

Arjun G. Seonie & Anr

.. Petitioners

Versus

Jaya A. Seonie

.. Respondent

Mr. Anish Karande i/b Sonal Darbar, Afaq Chougale,
Advocates for the Petitioner.

Mr. Ghanshyam Mishra, *Advocates for the Respondent.*

CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.

DATE: OCTOBER 18, 2024

ANJALI
TUSHAR
ASWALE

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P. C.

1. Mentioned. Not on Board. With the consent of parties taken on Board.

2. The above Contempt Petition had come up earlier before a Division Bench of this Court comprising of B. P. Colabawalla, J. and Firdosh P. Pooniwalla, J. In this Contempt Petition orders were passed on 12th August 2024 and 2nd September 2024. These orders were specifically with reference to Petitioner no. 1 meeting his children, namely, Aryan and Aariv. We had also directed that the above matter be placed in Chambers again on 23rd

September 2024. However, the matter was not placed on Board because the Bench was unavailable.

3. Today it had been brought to our notice that this Contemp Petition, under Rule 24(ii) of Chapter XXXIV of the Bombay High Court Appellate Side Rules, 1960 would lie before a learned Single Judge. However, it was brought to our notice that under Sub-rule (iii) of Rule 24, the Hon'ble the Chief Justice can, in his discretion, assign it to a Division Bench, even though it would otherwise lie before a learned Single Judge. For the sake of convenience, Rule 24 is reproduced hereunder.

“[24. (i) *Every petition or reference in respect of Civil Contempt alleging willful disobedience of any ad-interim/interim or final order passed by the High Court shall be heard and disposed of by the concerned Division Bench or Single Judge, as the case may be, before which/whom the main matter is pending or before which/whom the main matter would lie, if it were pending.*

(ii) *Every Petition or reference in respect of Civil Contempt of Subordinate Court shall be heard and disposed of by a Single Judge.*

(iii) *Notwithstanding anything contained in Sub Rules (i) and (ii), the Chief Justice may in his discretion assign to a Division Bench Contempt Petition which would otherwise lie before a Single Judge.*

(iv) *Notwithstanding anything contained in Sub Rules (i) and (ii), the Chief Justice, in his discretion, may assign Civil Contempt Petition to any other Division Bench or Single Judge.]”*

(emphasis Supplied)

4. Considering that the above Contemp Petition has been heard in the past by the Division Bench, both parties have made a request that the same be continued before a Division Bench of this Court. In these

circumstances, we record their consent and direct the parties to move the Hon'ble Chief Justice (on the Administrative Side) to have the above Contempt Petition assigned to a Division Bench of this Court.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]