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

CONTEMPT PETITION NO. 326 OF 2024

Shrimant Chhatrapati Vijaysinhraje Bhonsle .. Petitioner

Versus

Shrimant Chhatrapati Udayanraje
Pratapsinhmaharaj Bhonsle and Ors. .. Respondents

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- Dr. Abhinav Chandrachud a/w. Pranit Kulkarni i/by Mr. Amol Joshi, Advocates for Petitioner.
 - Mr. Aditya R. Deolekar, AGP for the State.
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CORAM : MILIND N. JADHAV, J.

DATE : JUNE 12, 2024.

P.C.:

1. Heard Dr. Chandrachud, learned Advocate for Petitioner and Mr. Deolekar, learned AGP for the State.

2. At the outset, Mr. Chandrachud prays for seeking an amendment to the Contempt Petition and place on record all details of the Suit properties as appearing in the Suit plaint as also the annexures to the Suit plaint. Leave to amend the Contempt Petition is granted. Petitioner is permitted to place on record all relevant documents including the Suit plaint and such amendment is permitted to be carried out within a period of one week from today. Re-verification stands dispensed with.

3. Contempt Petitioner would contend that despite there being a specific order of this Court of injunction passed in Civil Revision Application (CRA) No.51 of 2005 prohibiting alienation of the Suit properties, Respondent Nos.1 and 2 have between 2005 – 2015 alienated 1 out of the several Suit properties / lands. That material in respect of 1 particular Suit property is placed on record at page No.139 of the Contempt Petition. Dr. Chandrachud would submit that Petitioner is trying to accumulate details of any other properties which may have been alienated.

4. It is seen that the issue relating to Section 9A of the Code of Civil Procedure, 1908 was decided in favour of Contempt Petitioner / Plaintiff and the Civil Court is now seized of the matter. When that issue was decided originally by the Trial Court, it was challenged in CRA by the Respondents in this Court. In that CRA, there was a specific embargo and injunction order restraining the Respondents from alienating the Suit lands. That CRA was disposed of in the year 2015. It is contended by the Contempt Petitioner that between 2005 and 2015, one of the subject property, details of which are mentioned on page No.139 onwards in the Writ Petition have been alienated and dealt with by Respondent Nos.1 and 2.

5. Advocate for Contempt Petitioner is directed to serve copy of amended Contempt Petition and this order on Respondent Nos.1 and 2 against whom contempt is alleged.

6. After receiving notice and this order, Respondent Nos.1 and 2 are directed to file their Affidavit-in-Reply to the Contempt Petition so as to enable this Court to consider their defence and thereafter pass further orders in accordance with law. Affidavit-in-Reply shall be filed within a period of four weeks from today. Rejoinder, if any, to be filed within one week thereafter.

7. Stand over to **16th July, 2024.**

[MILIND N. JADHAV, J.]

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