
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.434 OF 2024
IN
WRIT PETITION NO. 11349 OF 2023

Shri Subhash Madhav Yeole & Anr

.. Petitioners

Versus

Shri Prashant S. Yeole & Ors

.. Respondents/
Contempnors

Mr. Rutvij Solanki I/b Megha Keluskar, Advocates for the
Petitioners.

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CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.
DATE: NOVEMBER 13, 2024

P. C.

1. The above Contempt Petition is filed alleging contempt of the order dated 22nd January 2024 passed by this Court in Writ Petition No.11349 of 2023. By the said order, Respondent Nos.1 and 2 in the said Writ Petition, and who are also Respondent Nos.1 and 2 in the present Contempt Petition, were directed to handover possession of Flat No.201-2B, Plot No.50, Seawood Heritage Co-operative Housing Society, Sector-4, Kharghar, Navi Mumbai 410210 [the “Said Flat”] to the Petitioners within a period of 10 days from the date of the copy of the said order was served upon them. It was further directed that in the event Respondent Nos.1 and 2 do not handover

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possession of the said flat to the Petitioners, the order of the Senior Citizens Tribunal would be implemented in letter and spirit in the manner as directed by the Senior Citizens Tribunal in paragraph 6 of the order. It is the case of the Petitioners that despite this order and all efforts taken by the Petitioners, the same has not yet been complied with and the Petitioners being Senior Citizens are deprived of the fruits of the order dated 22nd January 2024 as well as the order passed by the Senior Citizens Tribunal dated 6th June 2022.

2. *Prima facie* we find considerable force in the arguments canvassed by the learned counsel for the Petitioners. However, before we proceed to issue any show cause notice to the Respondents, we would like to hear their side of the story. In these circumstances, the Registry is directed to issue notice to all the Respondents returnable on 11th December 2024. In addition to the Court notice, the Petitioners are permitted to serve the Respondents with the papers and proceedings in the above Contempt Petition along with a copy of this order, by private notice as well.

3. We make it clear that if Respondent No. 1 and Respondent No. 2 do not appear despite service, we may be constrained to issue bailable/non-bailable warrants in their name to secure their presence.

4. Stand over to 11th December 2024.

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.]