
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO. 15 OF 2024**

Michelle Lucette Curzai DSA

.. Petitioner

Versus

Christopher Joseph Curzai

.. Respondents

Adv. S. L. Shah i/b. Shah Legal for the Petitioner.

Dr. Abhinav Chandrachud a/w Rahul Dangle, Hardik Desai for the Respondent Nos. 1 to 3.

Adv. Darryl Pereira a/w Beverly Fernandes for Respondent No.4.

Michelle Lecette Curzai Dsa, Petitioner is present.

Christopher Joseph Curzai, Respondent No.1. is present.

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

DATE: DECEMBER 18, 2024

P. C.

1. The above Contempt Petition alleges violation of the order dated 18th December 2023 passed by a Division Bench of this Court in Appeal (L) No. 34914 of 2023. According to the Petitioners, by the said order, the Petitioners were granted access and permitted to meet and visit their mother. However, no video and photographs of the Bungalow were to be taken when they met

their mother. A further direction was passed that the Respondent brothers shall ensure that when the Petitioners are in the house, no bouncers/security guards shall follow them around. The operative part of the order dated 18th December 2023 reads thus:-

“7. Thus, given the assurance by Mr. Tamboly, we find that the present Appeal can be disposed of in the following terms:-

- (i) Appellant No.5 or any of the other Appellants shall be permitted to visit her/their mother. Appellant No.5 or any of the other Appellants shall however not take videos and/or photographs of the house/bungalow in question.*
 - (ii) The Respondent Brothers shall also ensure that at the time when Appellant No.5 or any of the other Appellants is/are in the house, no bouncers/security guards shall follow her around.*
 - (iii) We note that the Interim Application is on board on 11th January 2024, on which date we request the Learned Single Judge to dispose of the same, subject to the exigencies of the Court.*
- 8. The captioned Appeal is disposed of accordingly.*
- 9. In view of disposal of the Appeal, Interim Application (L) No.34917 of 2023 does not survive and the same is also disposed of accordingly.”*

2. It is the case of the Petitioners that though access is granted to the mother, its only in the morning from 10 AM to 12 NOON and which is not the purport of the Division Bench's order.

3. When we put it to the parties that the mother is 94 years old and she should not be disturbed as per the whims of the parties, the parties agreed that the Petitioners would have access to the mother and be allowed to visit her from 11 AM to 12 NOON and from 5 PM to 6 PM every day, subject however to the mother being awake.

4. In light of this agreement, nothing survives in the above the Contempt Petition, and the same is disposed of accordingly. No order as to costs.

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.]