



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 209 OF 2025
IN CA/12413/2016**

Sayyad Rafiq Ahmed

.. Petitioner

Versus

Shankarlal Jumadamal Dhingana

.. Respondent

Mr. S. V. Suryawanshi, Advocate for the Petitioner.

CORAM : KISHORE C. SANT, J.

DATED : 28th FEBRUARY, 2025.

P C. :-

. Heard learned advocate for the petitioner.

2. The petitioner has approached this Court for initiating action of contempt against the respondent who is original petitioner in Writ Petition No. 3584/2014. In civil application by the present petitioner this Court by order dated 14.09.2016 was pleased to direct the parties to maintain status quo with regard to the nature of the properties.

3. It is the case of the petitioner that, in spite of this, the respondent has constructed one room on the suit property and thereby committed contempt of the order passed by this Court.

4. It is seen that, by now the construction is completed of the room.

It is not the case, the petitioner suddenly came to know about the construction. The petitioner was aware about the construction that was going on, on the property, still has kept silence and did not file any contempt petition. The only excuse given is that, he tried to move the main petition for seeking necessary orders/direction, however, the petition could not be taken up.

5. This Court hardly finds excuse for not approaching this Court earlier. This Court finds that, though there is contempt it was necessary for the petitioner to approach this Court in time. This Court does not find any reason calling for action of contempt. It is open for the petitioner to get the writ petition circulated and to get the proper orders.

6. In view of the same, the contempt petition stands disposed of. No order as to costs.

(KISHORE C. SANT, J.)

PS.B.