

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15957 OF 2024

Yashodhan Vardhaman Patil ...Petitioner

Versus

Shweta Yashodhan Patil ...Respondent

WITH
INTERIM APPLICATION NO.3636 OF 2025

IN

WRIT PETITION NO.15957 OF 2024

Yashodhan Vardhaman Patil ...Applicant

IN THE MATTER BETWEEN:

Yashodhan Vardhaman Patil ...Petitioner

Versus

Shweta Yashodhan Patil ...Respondent

Mr. Kuldeep U. Nikam, for the Petitioner/Applicant.

Mr. V. B. Rajure, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.

DATED: 13 MARCH 2025

P.C.:

1. Mr. Kuldeep Nikam, learned Counsel for the Petitioner seeks withdrawal of the Writ Petition.
2. However, it is required to be noted that this Court passed the following Order on 5th March 2025 :-

“1. This Court has passed the following Order on 14th February 2025 :-

“1. Mr. Kuldeep Nikam, learned Counsel appearing for the Petitioner, on instructions of the

Petitioner, states that an amount of Rs.3,00,000/- will be deposited in the account of the Respondent on or before 28th February 2025.

2. Stand over to 5th March 2025 at 2.30 p.m.”

2. Although, the statement which has been made to this Court, has not been complied with, Mr. Kuldeep Nikam, learned Counsel for the Petitioner, on instructions of the Petitioner, who is personally present in Court, states that the Order dated 14th February 2025 will be complied with on or before 10th March 2025.

3. The said statement made by Mr. Kuldeep Nikam, learned Counsel for the Petitioner made on instructions of the Petitioner, who is personally present in Court, is accepted as undertaking given to this Court.

4. Stand over to 12th March 2025 at 02:30 pm.”

(Emphasis added)

3. Thus, it is clear that, Mr. Kuldeep Nikam, learned Counsel for the Petitioner, on instructions of the Petitioner, made a statement that an amount of Rs.3,00,000/- will be deposited in the account of the Respondent on or before 28th February 2025. As the said statement was not complied with on 5th March 2025, on instructions of the Petitioner, who was personally present in Court, a statement was made that the Order dated 14th February 2025 would be complied with on or before 10th March 2025 and the said statement was accepted as undertaking given to this Court.

4. As the undertaking given to the Court is breached, issue notice under Rule 9 of the *Contempt of Courts (Bombay High Court) Rules*,

1994 against the Petitioner, returnable on 17th April 2025.

5. As Mr. Kuldeep Nikam, learned Counsel, on instructions of the Petitioner, seeks withdrawal of the Writ Petition, the same is allowed to be withdrawn and dismissed as such with cost of Rs.25,000/- to be paid to the Respondent within a period of 4 weeks from today.

6. As the contempt notice is issued to the Petitioner - Yashodhan Vardhaman Patil, he shall remain present in this Court on the returnable date and on all further dates.

[MADHAV J. JAMDAR, J.]