

MJ Jadhav

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 628 OF 2022
WITH
COURT RECEIVER'S REPORT NO. 14 OF 2023
WITH
COURT RECEIVER'S REPORT NO. 19 OF 2024
IN
CONTEMPT PETITION NO. 628 OF 2022**

Shaikh Amjad Ali and Anr. ... Petitioners

vs.

M. R. Builder and Developer and Ors. ... Respondents

**WITH
INTERIM APPLICATION NO. 9882 OF 2023
IN
CONTEMPT PETITION NO. 628 OF 2022**

Mohammed Ali Qureshi ... Applicant

vs.

Shaikh Amjad Ali and Anr. ... Respondents

Mr. Akash S. Bhogil i/b Nitesh Acharya for the Petitioners.

Mr. R. A. Shaikh for the Respondents.

Mr. Mayur Sonawane, AGP for Respondent- State.

Ms. Charushila Vaidya, 2nd Asst. to Court Receiver a/w Ms. Vinodini
Worlikar, S.O., Present.

Mr. Prakash Khandekar, P.I., Vakola Police Station, Mumbai,
Present.

CORAM : GAURI GODSE, J.

DATED : 14th FEBRUARY 2025

ORDER :-

1. Though repeatedly orders are passed, issuing non-bailable warrant, no assistance is received from the concerned police station for implementing the non-bailable warrant. The report tendered by the learned AGP does not explain any reason for not implementing the Court's order. He, on instructions of Mr. Prakash Khandekar submits that an affidavit will be filed within one week, explaining, why the warrants issued by this Court vide orders dated 22nd January 2025 and 29th January 2025 are not implemented. Necessary affidavit to be filed in this Court within one week from today.

2. Learned counsel appearing for the contemnor has tendered a demand draft of Rs.5,00,000/- to the petitioner through the petitioner's advocate.

3. Learned counsel for the petitioner is permitted to accept the demand draft without prejudice to the rights and contentions of the petitioner.

4. Learned counsel for the contemnor is unable to make any specific statement regarding payment of balance amount of Rs.9,00,000/-.

5. In earlier orders also, I have recorded that the contemnor has committed breach of the orders passed by this Court and has also

committed aggravated contempt. I am, therefore, of the opinion that the contemnor has committed contempt of various orders passed by this Court. He has never remained present before the Court and there is no application filed for exemption from personal appearance.

6. Learned AGP, on instructions, of the police officers of Vakola Police Station, who are present in the Court submits that the bailable warrant issued by this Court shall be executed on 28th February 2025 and the presence of the contemnor shall be secured on that date.

7. Needless to clarify that this order is passed in the presence of the concerned police officers. Hence, without insisting for any fresh bailable warrant, the warrant already issued shall be implemented.

8. Ms. Charushila Vaidya on behalf of the court receiver submits that the inspection was already done on the premises on 7th February 2025 and valuation report is awaited.

9. List the contempt petition on 28th February 2025.

10. To be listed at 2.30 p.m.

(GAURI GODSE, J.)