

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.41 OF 2025

Kalpesh Ulhas Patil

....Petitioner

V/S

M/s. Tycoons Avanti Projects LLP

....Respondent

Mr. Rajendra Jain a/w Mr. Pranil Lahigade *for the Petitioner.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 04 FEBRUARY 2025.**

P.C.:

It appears that Petitioner has already instituted proceedings for execution of the order passed by the Maharashtra Real Estate Regulatory Authority (**MahaRERA**). In that view of the matter, I am not inclined to exercise contempt jurisdiction in the present proceedings. The learned counsel appearing for the Petitioner relies on judgment of the Supreme Court in ***Bank of Baroda vs. Sadruddin Hasan Daya and another***, AIR 2004 SC 942 in support of his contention that violation or breach of undertakings forming part of Consent Terms would amount to contempt of Court. There can be no difficulty about this proposition. However no undertaking in the present case is given to this Court. The Consent Terms are filed before MahaRERA. There is adequate machinery in

place to get the order passed by MahaRERA executed. In that view of the matter, it would be imprudent to entertain Contempt Petition alleging non-execution of orders passed by MahaRERA in every case. In the facts and circumstances of the present case, I am not inclined to entertain the Petition. The Contempt Petition is accordingly disposed of, leaving open all the remedies for the Petitioner to have the order passed by MahaRERA executed in an expeditious manner.

(SANDEEP V. MARNE, J.)

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