

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 169 OF 2025
IN
WRIT PETITION NO. 1042 OF 2023

Dolphin Chsl Through Its Chairman
Balasaheb D Dhoble

...Petitioner

Versus

State Of Maharashtra Through Its Secretary,
Urban Development Department.

...Respondent

Mr. Avinash Fatangare a/w Ms. Archana S. Shelar, for the Petitioner.
Mr. Chetan Kapadia, Senior Advocate a/w Rahul ___ i/b DSK legal.
Adv. A.I. Patel, Addl. GP a/w Adv. Tejas Kapre, AGP for respondent no. 1 -State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 29 APRIL 2025

P.C.:

1. We have heard the learned counsel for the parties on this contempt petition on the earlier occasion and as also today. The contempt which was alleged in the present proceedings is of a judgment and order dated 4 February 2025 passed by this Court in Writ Petition No. 1042 of 2023. Yesterday on the request as made on behalf of the CIDCO, we adjourned the proceedings for today.

2. Today, Mr. Kapadia, learned senior advocate has appeared along with Mr. Valvi for the CIDCO. Mr. Kapadia has placed on record a copy of the "Occupancy Certificate" being issued to the petitioner for its

residential building constructed on plot no. 59C, Sector 21, Kharghar, Navi Mumbai, which is subject to the condition of the petitioner submitting 'as built plans' through its project architect and the payment of statutory charges of Rs.1,44,964/- for occupancy certificate.

3. The learned counsel for the petitioner has submitted that 'as built plans' are already submitted to the CIDCO by the petitioner's architects on 21 December 2020. Let this be also verified. In any event, as a compliance, another set of 'as built plans' be submitted to the CIDCO by the petitioner's project architect, as also charges be paid within two weeks from today.

4. Accordingly we record compliance of our order dated 4 February 2025, the contempt petition would not warrant any further adjudication. It accordingly stands disposed of.

5. The Court appreciates the fair stand taken on behalf of the CIDCO as also by Mr. Kapadia, learned senior advocate for the petitioner.

6. Photocopy of the Occupancy Certificate is taken on record and marked 'x' for identification.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]