

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.183 OF 2025

IN

CRIMINAL REVISION APPLICATION NO.158 OF 2022

Zainab Hamza Shaikh

...Petitioner

Versus

Hamza Yusuf Shaikh & Ors.

...Respondents

Ms. Ruby Tripathi (through VC) i/by Mr. V.K. Gupta for Petitioner
Mr. Faiz Ahmed Khan a/w Firoz Khan for Respondent No.1.

Ms. Disha Mehta i/by King Stubb & Kasiva, for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.

DATED : 9th May 2025

P.C.:

1. Heard Mr. Gupta, learned Counsel for the Petitioner, Ms. Faiz Khan, learned Counsel for Respondent No.1 and Ms. Disha Mehta, learned Counsel for Respondent No.2.

2. In the Contempt Petition, the contention is raised that the Respondent No.1 has not complied with the Consent Terms. This Court passed Order in Criminal Revision Application No. 158 of 2022 and Criminal Revision Application No.124 of 2022, by which both Applications were disposed of in term of the Consent Terms.

3. In the said Order, it is also observed that all the statements made in the Consent Terms are accepted as undertakings given to this Court by both the parties. In the Consent Terms, the Respondent No.1 has agreed that he would pay one time permanent alimony of Rs.20,00,000/-. He has undertaken that Rs.10,00,000/- would be deposited on or before 15th March 2025 and balance Rs.10,00,000/- would be deposited on or before 15th April 2025. The said undertaking is not complied with, and therefore, the Contempt Petition is filed.

4. On 6th May 2025, learned Counsel for the Respondent No.1, on instructions of the Respondent No.1 submitted that an amount of Rs.10,00,000/- would be deposited in the account of the Petitioner on or before 8th May 2025. Learned Counsel for the Petitioner confirms that the said amount is deposited in the account of the Petitioner.

5. Mr. Faiz Ahmed Khan, learned Counsel for the Respondent No.1 tenders Undertaking in the Court of Respondent No.1-Hamza Yusuf Shaikh. In the said Undertaking, it is stated as follows :

“1. That I most respectfully tender my apology before this Hon'ble Court for the contempt committed by me. I have the highest regard for the majesty and dignity of

this Hon'ble Court and undertake to be more careful and respectful in the future.

2. That I further undertake to pay the remaining balance amount Rs. 10,00,000 the permanent alimony awarded to Zainab Hamza Shaikh on or before 30th June, 2025, without any further delay or default.”

6. Thus, the Respondent No.1 has given undertaking that he will deposit balance amount of Rs.10,00,000/- in the account of the Petitioner on or before 30th June 2025. The Respondent No.1 has also tendered apology. The above written undertaking given by the Petitioner is accepted.

7. As the Respondent No.1 has tendered apology and has also purged the contempt by paying Rs.10,00,000/- and as he has given undertaking to pay balance amount of Rs.10,00,000/- on or before 30th June 2025, by accepting said apology, no further action needs to be taken. Accordingly, the Contempt Petition is disposed of.

8. However, to ensure compliance of the undertaking given by Respondent No.1, stand over to **7th July 2025**.

(MADHAV J. JAMDAR, J.)