

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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CONTEMPT PETITION NO. 211 OF 2025.

Shishir Prabhakar Dharkar

...Appellant

Versus

Latha Ganesh

...Respondent

Adv. Satish Muley and Adv. Mosin Naik for the Appellant.
None for the Respondent.

Coram : Sharmila U. Deshmukh, J.

Date : April 22, 2025.

P. C. :

1. Learned Counsel appearing for the Petitioner would point out the order dated 5th July, 2023 and in particularly paragraph 2 thereof where this Court had issued directions for release of the salaries of the staff members and employees and the concerned bank to ensure release of salary and other expenses.
2. Learned Counsel appearing for the Petitioner submit that the concerned Bank claims lien over the amount deposited in the Bank account in view of certain loan obtained by the Trust and has refused to release the salary, which constitutes violation of order of 5th July, 2023.

3. There is nothing to show that the concerned Bank referred to in order dated 5th July, 2023 is Central Bank of India or its Neral Branch, who was party to the proceedings or has been informed about the order of 5th July, 2023.

4. Apart from making bald statement that the contemnors have not released the salaries of the staff, there is nothing to demonstrate that the trust was having the bank account with Central Bank of India from where the salaries were to be released and that there is refusal by the Bank to release the salaries of the staff. The Petition, apart from the Neral Branch, impleads the Chief Manager, Assistant General Manager, Zonal Manager and the General Manager Recovery of Central Bank of India. There is no explanation as to why the managerial personnel of Central Bank of India of various branches have been made party, particularly when the order of 5th July, 2023 does not specify any particular branch of the bank and does not even mention Central Bank of India. It is also not pleaded by the present Petitioner who is trustee of the Trust, that the bank account of the trust is only with Central Bank of India and no other bank and the salaries were required to be released from Central Bank of India which has been refused.

5. The submission that there are certain loans which were obtained from the Central Bank would show that the present

Contempt Petition has been filed to pressurize the bank and to frustrate the recovery proceedings by the Bank.

6. In light of the above, no case for contempt is made out. Contempt Petition stands dismissed.

[Sharmila U. Deshmukh, J.]