

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 272 OF 2025

Menaka Lovkush Mourya

...Petitioner

Versus

Sharad Vasant Madhavi & Ors.

...Respondents

Mr. Prajakt M. Arjunwadkar aw Jai B. Gharat for the Petitioner.

Mr. Ritesh Kalra a/w Anish Khandekari i/b Vanguard Law Group for Respondent No. 3.

Mr. Kedar B. Dighe, Addl. GP a/w Ms. Rupali Shinde, AGP for Respondent Nos. 4, 5 & 6.

Ms. Kavita N. Solunke for Respondent No. 7-MMRDA.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATE: 12th JUNE 2025

P.C.

1. We have heard learned Counsel for the parties on this Contempt Petition, which is filed alleging that the judgment and order dated 25th July, 2024 passed by a co-ordinate Bench of this Court, insofar as directions issued in paragraph 78 of the Judgment are not complied, which are to the effect that the amounts of Rs. 8 Crores required to be recovered from Original Respondent Nos. 8, 9 and 10 are yet to be recovered.

2. Respondent No. 3 in the present petition [Respondent No. 10 in the original proceedings] is represented by learned Counsel, who is in the process of filing his Vakalatnama. On instructions, he states that Respondent Nos. 8, 9 are not

supporting him. However, he states that Respondent No. 3 intends to comply with order passed by this Court and, to this extent Respondent No. 3 is ready and willing to deposit in this Court the amount of Rs. 8 Crores. He has tendered, for perusal of the Court, Demand Draft No. 033523 dated 02.04.2025 of Rs. 2.67 Crores drawn on Thane Bharat Sarkari Bank Limited, and Demand Draft No. 602225 dated 09.06.2025 of Rs. 5.33 Crores drawn on CSB Bank, drawn in favour of the Registrar, Appellate Side, High Court of Bombay, totaling to an amount of Rs. 8 Crores, which Respondent No. 3 intends to deposit in Court in compliance of the aforesaid orders.

3. In our opinion, without prejudice to the rights and contentions of the parties, it would be appropriate that we permit Respondent No. 3 to deposit the said amounts, for the reason that such deposit is in compliance of the orders passed by this Court, which amount is in fact, ordered to be recovered by the District Collector. In this view of the matter, the District Collector would not be required to take any further action as the amount is already brought to this Court.

4. We accordingly direct the Registrar, Appellate Side, to accept the said demand drafts which be presented along with the covering letter of Respondent No. 3's advocate. After the encashment of the demand drafts / receipt of the said amounts, we shall pass further appropriate orders.

5. Accordingly, list the proceedings on 19th June, 2025.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI, J.)