

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.806 OF 2025

Fakhre Alam Shaikh & Anr.	...Petitioners
<i>Versus</i>	
M/s. S. M. Infrastructures & Ors.	...Respondents

Ms. Padma Chinta a/w. Mr. Anwar Landge, for the Petitioners.
Mr. Sagar Joshi a/w. Ms. Pooja Gaikwad and Ms. Sonam Singh, for
the Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATED : 10th JUNE 2026

PC:-

1. Heard Ms. Chinta, learned Counsel appearing for the
Petitioners and Mr. Joshi, learned Counsel appearing for the
Respondents.

2. This Contempt Petition has been filed alleging violation of
the order dated 18th November 2024 passed by the learned
Maharashtra Real Estate Appellate Tribunal and the order dated
10th December 2019 passed by the learned Maharashtra Real Estate
Authority. In the Contempt Petition it is also alleged that the
Respondents have committed wilful disobedience of the order

dated 9th January 2025 passed by the Maharashtra Real Estate Authority, Adjudicating Officer.

3. By the said order dated 10th December 2019, the Authority has directed the Respondents to execute and register the agreement for sale for flat No.A-1/203, admeasuring 524.5 sq.ft. in the project “Hatkesh Heights” at Mira Road, Thane. The said order has attained finality up to the Supreme Court. In spite of the same, as the said order has not been complied with, the Contempt Petition has been filed.

4. During the pendency of the Contempt Petition, the Respondents gave offer to the Petitioners of refunding the entire amount along with certain compensation amount. The Petitioners have paid an amount of Rs.22,91,000/- in the year 2017 to the Respondents and the Respondents offered payment of Rs.70,00,000/-. As the Petitioners were also suffering from financial distress, they accepted the said offer and two cheques of Rs.35,00,000/- each dated 15th March 2026 and 5th May 2026 respectively were handed over by the Respondents to the Petitioners. It is an admitted position that the said cheques are

honoured and resultantly Rs.70,00,000/- have been paid to the Petitioners.

5. Respondent Nos.2 and 3 i.e. Contemnors who are personally present in the Court tender written unconditional apology. The said apologies are taken on record and marked 'X1' and 'X2' respectively for identification

6. Mr. Joshi, learned Counsel appearing for the Respondents submits that Respondent No. 4 is out of station and he also tenders apology and written unconditional apology of Respondent No. 4 will be filed in the registry within a period of four weeks from today.

7. In the facts and circumstances and as set out herein above, as the Respondents have tendered unconditional apology, no further action is required to be taken against the Respondents. By accepting the said apology, **the Contempt Petition is disposed of.**

SONALI
MILIND
PATIL

[MADHAV J. JAMDAR, J.]

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