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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

CONTEMPT PETITION IN CD NO.11 OF 2024

Ashok Kumar Damani ...Petitioner
Vs
Yashashree Construction Co. ...Respondent

Mr. Faran Khan a/w. Mr. Dhaval Poriya and Ms. Anjali Ajmera i/b
Vimadalal & Co. for the Petitioner.

Mr. Sachin Patil i/b Mr. Nitesh Agarwal for Respondent Nos.4, 7
and 8.

Respondent Nos. 7 & 8 present in person.

Mr. Ryan D'souza and Ms. Astha Ojha i/b DSK Legal for
Intervenors.

Ms. Nandini Deshpande, 1st Assistant to Court Receiver.

CORAM : Jitendra Jain, J.

DATED : 6 April 2026

PC:-

1. The present Contempt petition has been filed against various respondents. Primarily it is respondent Nos.4, 7 and 8 who have violated the injunction order passed by this Court by selling the properties, which were the subject matter of the injunction to L& Constructions Private Limited and Others.

2. L7 Construction Private Limited & Ors. have filed an application for intervention and for setting aside of the Consent Terms to the extent that it affects them.

3. There is no dispute that respondent Nos.4, 7 and 8 have sold the properties in violation of the injunction order passed by this Court. This has affected the petitioner and L7 Construction Private Limited and Ors to whom these respondents have sold the

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flat. There was no *lis pendens* notice registered.

4. The petitioner and respondent No.4, 7 and 8 have entered into Consent Terms on 11 August 2025 under which sum of Rs.6.25 crores was to be paid by these respondents to the petitioner failing which certain orders were to take effect against the flats purchased by L7 Constructions Private Limited and Ors.

5. Out of Rs.6.25 crores, Rs. 1.90 crores have been paid leaving balance of Rs.4.35 crores. The whole matter can be resolved if respondent Nos.4 7 and 8 pay Rs.4.35 crores alongwith further compensation till today which the Court feels can be Rs.5 crores as lump sum can meet the ends of justice.

6. The learned counsel for respondent Nos.4,7 and 8 seeks four weeks time to pay sum of Rs.5 crores. However, to show *bonafides* he undertakes to deposit Rs.2.5 crores in this Court on or before 20 April 2026. The above undertaking is given in the presence of respondent No.7, who is present in the Court.

7. List this matter on 21 April 2026. If by that date, 2.5 crores is not deposited in this Court then the Court will consider passing appropriate orders against respondent Nos. 4, 7 and 8 including detaining them in civil prison.

8. If the amount is not deposited by 20 April 2026 then respondent Nos.7 and 8 to remain present in the Court on 21 April 2026 so that necessary order of civil imprisonment can be effected immediately.

9. The Intervenor had filed Interim Application but since he has not given number, no order is passed for its listing alongwith present matter.

(Jitendra Jain, J)