

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.16 OF 2024

IN

CONTEMPT PETITION NO.14 OF 2020

Sai Builder and Developers ...Petitioner

Versus

Sakla Enterprises ...Respondent

WITH

INTERIM APPLICATION (L) NO.40088 OF 2025

IN

CONTEMPT PETITION NO.16 OF 2024

Kiran Narayan Gawand ...Applicant

Versus

M/s. Sakla Enterprises ...Respondent

WITH

COURT RECEIVER REPORT NO.535 OF 2025

IN

CONTEMPT PETITION NO.16 OF 2024

IN

CONTEMPT PETITION NO.14 OF 2020

M/s. Sai Builder and Developers & Ors. ...Applicants

Versus

M/s. Sakla Enterprises & Ors. ...Respondents

WITH

COURT RECEIVER REPORT NO.522 OF 2025

IN

CONTEMPT PETITION NO.16 OF 2024

IN

CONTEMPT PETITION NO.14 OF 2020

M/s. Sai Builder and Developers & Ors. ...Applicants

Versus

M/s. Sakla Enterprises & Ors. ...Respondents

**WITH
SHOW CAUSE NOTICE NO.2 OF 2025
IN
CONTEMPT PETITION NO.16 OF 2024**

M/s. Sai Builder and Developers ...Applicant

Versus

M/s. Sakla Enterprises ...Respondent

**WITH
NOTICE (L) NO.26587 OF 2024
IN
CONTEMPT PETITION NO.16 OF 2024**

M/s. Sai Builder and Developers ...Applicant

Versus

M/s. Sakla Enterprises ...Respondent

**WITH
EXECUTION APPLICATION NO.2593 OF 2015**

M/s. Sai Builder and Developers ...Applicant

Versus

M/s. Sakla Enterprises ...Respondent

**WITH
CHAMBER SUMMONS (L) NO.684 OF 2019
IN
EXECUTION APPLICATION NO.2593 OF 2015**

M/s. Sai Builder and Developers & Ors. ...Applicants

Versus

M/s. Sakla Enterprises & Ors. ...Respondents

Mr. Sachin Deokar, Advocate for Mr. Vishwas Atmaram Bhagat and
Mr. Yogesh Vishwas Bhagat.
Mr. Ram U. Singh a/w. Annkur Jain and Ms. Kajal Soni, for the
Petitioner.

Mr. Chetan Kapadia, Senior Advocate a/w. Mr. Rahul Sinha and Mr. Yuvraj Singh i/b. DSK Legal, for the CIDCO.

Mr. Abhinav Dubey, for the Respondent Nos.2 and 5.

Ms. Rajlaxmi Dubey i/b. Mr. Ankit, for the Respondent Nos.1 and 3.

Mr. Murtaza Najmi a/w. Mr. Dharmesh Joshi, Ms. Akshita Vakharia, Mr. Imran Khan, Mr. Ritesh Yadav, Gulnar Khan, for the Contemnor No.4 and 6.

Mrs. Nandini Y. Deshpande, 1st Assistant to Court Receiver, High Court Bombay, present.

Mr. Girish Sakla, Contemnor No.6, present in-person.

Mr. Vishwas Atmaram Bhagat and Mr. Yogesh Vishwas Bhagat are present in-person.

CORAM: MADHAV J. JAMDAR, J.

DATED : 18th FEBRUARY 2026

P. C.:

1. Pursuant to the order dated 12th January 2026 and 21st January 2026, Mr. Sachin Deokar, learned Counsel appearing for Vishwas Atmaram Bhagat and Yogesh Vishwas Bhagat tenders four Demand Drafts as per the details mentioned in the affidavit dated 18th February 2026.

2. The conduct of Vishwas Atmaram Bhagat and Yogesh Vishwas Bhagat has already been recorded in the said order dated 12th January 2026. The affidavit dated 18th February 2026 of Vishwas Atmaram Bhagat reads as under:

"AFFIDAVIT"

I, Vishwas Atmaram Bhagat, the abovenamed, aged about 49 years, residing at 303, Karadi Samaj Mandir, Jui Kamothe, Kalamboli Node, Kalamboli, Raigad 410218, do hereby state on solemn affirmation that:

1. I say that I alongwith my son namely Yogesh Bhagat who is also residing in the above address with me filing the present Affidavit as per the order dated 21.01.2026 passed by this Hon'ble Court in above mentioned Contempt Petition whereupon I am depositing the Demand Drafts of Rs. 2,50,000/- (Two Lakh Fifty thousand only) each as per the directions given by this Hon'ble Court on 21.01.2026.

i) Bank Name Union Bank of India in favour of the Bar Council of Maharashtra & Goa of amount of Rs. 2,50,000/- (Two Lakh Fifty thousand only) bearing no. 023449.

ii) Bank Name - Union Bank of India in favour of the Bar Council of Maharashtra & Goa of amount of Rs. 2,50,000/- (Two Lakh Fifty thousand only) bearing no. 023450.

iii) Bank Name - Union Bank of India in favour of the High Court Employees Medical Welfare at Mumbai of amount of Rs. 2,50,000/- (Two Lakh Fifty thousand only) bearing no. 023451.

iv) Bank Name Union Bank of India in favour of the High Court Employees Medical Welfare at Mumbai of amount of Rs. 2,50,000/- (Two Lakh Fifty thousand only) bearing no. 023452.

2. I say that the above contempt petition is pending between the Petitioners and Respondent and as per the order of this Hon'ble Court the court receiver has been appointed by this Court when the said court receiver when trying to obtain the possession of the property in the said contempt proceedings at that time, the workers of the authority try to disturb the possession of the Affiliant and there was exchange of words between the workers and the Affiliants.

3. I say that due to which a false FIR bearing No. 15 of 2026 at Kamothe Police Station has been lodged against me and my son whereupon in the said FIR. I and my son came to arrested and subsequently released on bail.

4. I say that the complainant in the said FIR i.e. court receiver appointed by this court inform the said facts before this Hon'ble Court and notice was issued to us by this Court and upon receiving the notice I and my son appeared before this court and tendered apology whereupon the act which was not committed by me and son.

5. I say that as per the directions of this Court I am depositing the above said mentioned amount to this Hon'ble Court by way of Demand Draft without prejudice my rights and contentions and false allegations made against me in the abovementioned FIR.

6. I say that I have already submitted before this Hon'ble Court that no such act was committed by me and my son in alleged FIR which was lodged

against me and my son by the court receiver and the said cases pending before the Panvel Court.

7. I say that I am depositing the said amount in this Court as per the directions given by this Court order dated 21.01.2026.

8. I repeat, reiterate and confirm what is stated in the said application and pray that the same be treated as part of this affidavit and the application may be allowed.”

3. Mr. Deokar, learned Counsel submits that the incident in question has not taken place in the manner in which the same is reflected in the C.R. No.15 of 2026 registered on 9th January 2026 with the Kamothe Police Station, Navi Mumbai under Sections 132 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. However, he submits that if it is the contention that the conduct of Vishwas Atmaram Bhagat and Yogesh Vishwas Bhagat is contemptuous, without prejudice to their rights and contentions both of them who are personally present in Court are tendering apology and the same is also mentioned in the said affidavit dated 18th February 2026.

5. Accordingly, it is clarified that the trial concerning said C.R. No. 15 of 2026, if any, shall be conducted without influenced by the observations made in this order and the orders dated 12th January 2026 and 21st January 2026.

6. Vishwas Atmaram Bhagat and Yogesh Vishwas Bhagat have paid aggregate cost of Rs.5,00,000/- each to the Bar Council of Maharashtra & Goa and High Court Employees Medical Welfare Fund at Mumbai. The Bar Council of Maharashtra and Goa to utilise the said fund for imparting training to Junior Advocates.

7. Thus, in the facts and circumstances, the apology tendered by Vishwas Atmaram Bhagat and Yogesh Vishwas Bhagat is accepted.

8. No further action needs to be taken pursuant to the order dated 12th January 2026 and 21st January 2026.

9. Stand over to 25th February 2026.

[MADHAV J. JAMDAR, J.]