

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 2424 OF 2024

IN

EXECUTION APPLICATION NO. 2449 OF 2025

Adarsh Infrainterio Pvt. Ltd. ... Applicant

Versus

Maharashtra Small Scale Industries
Development Corporation ... Respondent

WITH

SUO MOTO SHOW CAUSE NOTICE NO. 4 OF 2025

IN

INTERIM APPLICATION NO. 2424 OF 2024

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Mr. Hasmit Trivedi alongwith Mr. Indra Kumar Lahoti instructed by Praxis Legal, Advocate for the Applicant.

Mr. Manish Kelkar alongwith Ms. Gauri Phadake, Advocate for the Respondent No.1-MSSIDC.

Dr. Dhruti Kapadia alongwith Ms. Kavita Dhanuka, Advocate for the Respondents No.2 and 3 in SMSN-4-2025.

Mr. Sameer Khedekar alongwith Ms. Mayuri Andhale, Advocate for the Respondents No.2 and 3 in IA-2424-2024.

Mr. Dileep Sardesai, IAS, Commissioner, CET Cell & Member Secretary, Admissions Regulatory Authority alongwith Ms. Bharti Gerella, Law Officer of CET & ARA), present.

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CORAM : ABHAY AHUJA, J.

DATE : 16 APRIL 2026

PC. :

1. This matter was kept back in the morning session as the Respondents No.2 and 3 were not present in Court and the learned

Counsel appearing for the said Respondents had sought time to secure their presence.

2. In the afternoon session, when the matter is called out, Ms. Kapadia, learned Counsel, appears for the Respondents No.2 and 3 and submits that Mr. Dileep Sardesai, who is the Commissioner of Respondent No.2 as well as the Respondent No.3 holding dual charge is present in Court and also tenders across the bar an affidavit dated 8th January 2026 in response to the show cause notice issued by this Court under the Contempt of Courts Act, 1971 pursuant to order dated 8th December 2025.

3. A copy of the said affidavit is also furnished to the learned Counsel appearing for the Applicant, who submits that, pursuant to the order dated 8th December 2025, the balance amount of Rs.2,72,007/- has been deposited in this Court by the Respondents No.2 and 3, however, in view of the stay on execution of the award granted by order dated 5th December 2025 of a co-ordinate Bench taking up arbitration matters, the Applicant is unable to withdraw the same. That as regards, the Affidavit filed on behalf of the Respondents No.2 and 3 in response to the *suo moto* show cause notice issued by this Court on

the submissions of the Applicant, he has instructions to leave it to the orders of the Court.

4. I have perused the affidavit in response to the show cause notice and observed that the Contemnor has tendered an unconditional apology to this Court, submitting that the deficit amount pertains to the interest from March 2024 till November 2025 and the Respondents were unable to pay the same initially as being a Government Authority, the Respondents were required to obtain approval from the competent authority prior to making the payment and therefore, there was delay. It is stated in the said affidavit that there has been no intention to breach or disobey the orders of this Court. It has also been stated that the amount of Rs.2,72,007/- has been deposited in this Court on 10th December 2025.

5. Accordingly, having perused the said affidavit dated 8th January 2026, I am inclined to accept the unconditional apology. The submissions made in the affidavit are accepted. The contempt stands purged and the show cause notice stands discharged.

6. Since there is a stay to the execution of the award, the execution proceedings to stand adjourned *sine die* with liberty to apply.

(ABHAY AHUJA, J.)