

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
CONTEMPT PETITION (L) NO.344 OF 2025
IN
COMMERCIAL ARBITRATION PETITION NO.327 OF 2024

Bhumika Rupani

...Petitioner

Versus

Jambopay Express Private Limited & ors

...Respondents

WITH

CONTEMPT PETITION (L) NO.35130 OF 2024

WITH

CONTEMPT PETITION NO.1 OF 2025

WITH

CONTEMPT PETITION NO.9 OF 2025

WITH

CONTEMPT PETITION NO.10 OF 2025

Mr. Vijeet Trivedi i/b Ganesh & Co. for Petitioners.

Ms Shital Londhe i/b Ms Riya Singh for Respondents.

CORAM : ARIF S. DOCTOR, J.
DATE : 19th JANUARY 2026

P.C.

1 On 5th December 2025 this Court, after an extended hearing passed the following order:

" 1. On 14/02/2025, a show cause notice was issued to Respondent No.1, asking him to show cause as to why contempt proceedings shall not be initiated against him.

Pursuant thereto, there is appearance of the Respondent/Contemnor. Time and again this Court noted that there is no compliance of the directions issued and in fact, on one of the occasion, the Court also permitted the contempt to be purged, by making the necessary payment.

2 The Contempt Petition was listed before me on 06/11/2025, when it is recorded that despite clear direction that if there is no compliance, the Contemnor shall remain present, but was not present and instead he referred to some proposal being extended to the Petitioner, which was plainly denied by the learned counsel representing the Petitioner.

It is in light of this, while adjourning the Petition to 27/11/2025, it was directed thus :-

"Upon due deliberation, either an amicable settlement is arrived at and the contempt is purged, or else the contemnor shall remain present in this Court on 27/11/2025."

3. The proposal was permitted to be exchanged within a period of one week, so that it could be deliberated upon. However, nothing fruitful emerged and on 28/11/2025, Mr.Dixit, who had marked his appearance on-line, once again attempted to justify the disobedience, by submitting that he had forwarded the necessary proposal, but there was no response at the end of the Petitioner and this statement was once again denied by the learned counsel for the Petitioner.

4. Today, my attention is invited to the order of which the contempt is alleged, and to the reply filed pursuant to the show cause notice being issued.

Mr.Dixit, has marked his appearance on-line in the wake of the disruption in the flight schedule, as he could not mark his appearance before the Court in person and considering the exigency, I have exempted his appearance.

However, on his appearance through VC, he do not dispute the fact that under the orders of the Court, the liability of Rs.1.65 Crores is fastened on him in five Petitions, but he is insistent on one aspect, that when the investment was made, the company was in good shape, but as on today, the company is not in a position to return even the principal amount in entirety, and according to him, he has offered an amount of approximately Rs. Twenty Five Lakhs, which has been refused by the Petitioners. In my opinion it is rightly done, as the total liability fastened is about Rs. 1.65 Crore.

Had it been the case that some dignified amount was offered by the

Contemnor, learned counsel for the Petitioners say that it could have been considered, but since there is abject failure to even match the amount by 50%, the offer is outrightly declined by the counsel for the Petitioners.

5. In the wake of the aforesaid, since I find that the only defence projected by the Contemnor is, the company is in bad shape and this definitely cannot be a defence, it is directed that the Contemnor, Mr. Dixit shall remain present before this Court on 19th December, 2025 at 10.30 a.m., and since, I am satisfied that prima facie case is made out for initiation of contempt proceedings, the charge shall be framed against him and the proceedings under Contempt of Courts Act, 1971 shall be initiated."

Learned Counsel for the Petitioner points out that notice of today's date of hearing was served upon Respondents/Contempnors vide an email dated 10th January 2026, to which the Respondents/Contempnors responded as follows:

"We hereby inform you that our client i.e. Respondent No. 1 is in personal difficulty. We also state that both the Counsel and us are in personal difficulty on the said date.

In view of the aforesaid circumstances, please take notice that when the matters are called out, a request will be made on behalf of our clients, on the basis of the above, to have all the captioned Contempt Petitions listed on 27th January, 2026 or 29th January, 2026 and/or any date convenient to the Hon'ble Court."

2 In my view, the aforesaid response can only be described as aggravated contempt. Notice of contempt having been issued, the Respondents/Contempnors were required to be personally present in Court. They do not have the luxury of requesting for time on the ground of their personal convenience.

3 It was thus, that today I was inclined to issue an appropriate warrant to secure presence of the Respondents/Contempnors before this Court. However, on the assurance of Learned Counsel appearing on behalf of the Respondents/Contempnors that they shall all remain present before this Court

tomorrow at 3.00 p.m., I am refraining from doing so. It is, however, made clear that if Respondent No.2-Mr. Manan Dixit, Respondent No.3-Kuldeep Singh Thakur and Respondent No.4-Abhishekh Charandas Bhasme are not present tomorrow, the Court shall then ensure their presence by issuing appropriate orders.

4 Stand over to 20th January 2026, at 3.00 p.m.

[ARIF S. DOCTOR, J.]