

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
CONTEMPT PETITION NO. 37 OF 2013
IN
NOTICE OF MOTION NO. 2718 OF 2000**

Movin D'Souza ... Petitioner

Versus

Vivian d/o Wilfred Fonseca and
w/o Ravi Shetty and others ... Respondents

**WITH
CONTEMPT PETITION NO. 31 OF 2025
IN
NOTICE OF MOTION NO. 2718 OF 2000
WITH
INTERIM APPLICATION NO. 4557 OF 2025
COURT RECEIVER'S REPORT NO. 336 OF 2023
INTERIM APPLICATION NO. 4557 OF 2025
IN
CONTEMPT PETITION NO. 31 OF 2025**

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Mr. Atul Almeida alongwith Mr. Vasant Dhawan and Mr. Sanket Dhawan, Advocate for the Petitioner in CONP-37-2013.

Mr. Ashish Kamat, Senior Advocate alongwith Ms. Janhavee Joshi, Mr. Abbas Zaidy and Mr. Aditya Kavale instructed by Zohair & Co., Advocate for the Respondent No.1 in CP-37-2013 and for the Petitioner in CP-31-2025.

Mr. Naushad Engineer, Senior Advocate alongwith Mr. Akshay Shah and Ms. Shreya Jha instructed by Mr. Yajuvendra Singh, Advocate for the Respondent No.1 in CP-31-2025 and for the Respondent No.10 in CONP-37-2013.

Mr. Sunil Gangan alongwith Mr. S.M. Seegarla instructed by RMG Law Associates, Advocate for the Respondent No.2 in CONP-31-2025.

Mr. David Dabre, Advocate for the Respondent No.4 in CONP-31-2025.

Mr. Mayur Khandeparkar alongwith Ms. Simeen Shaikh and Ms. Anamika Singh instructed by S.K. Srivastav & Co., Advocate for the Respondents No.12 and 13.

Mr. Dushyant Purekar, Advocate for the Respondents No.3,5,6,7 & 8.

Ms. Nandini Deshpande, 1st Assistant to the Court Receiver alongwith Ms. Elizabeth D'Souza, Section Officer to the Court Receiver, present.

Respondent No.2, present.

Respondents No.3 and 5, present.

Respondent No.4, present.

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CORAM : ABHAY AHUJA, J.

DATE : 25 AUGUST 2025

P.C. :

1. This matter was kept back in the morning session as Mr. Engineer, learned Senior Counsel, appearing for the Respondent No.10 in Contempt Petition No.37 of 2013 and for the Respondent No.1 in Contempt Petition No.31 of 2025 was on his legs before another Court.

2. When the matter is called out in the afternoon session, Mr. Engineer, appears and submits that since the attorney is in personal difficulty, some more time be granted to file reply.

3. Mr. Almeida, learned Counsel, appearing for the Petitioner objects to the same, submitting that costs may be imposed.

4. Mr. Engineer submits that there is a bereavement in the family of the attorney and therefore, time is being sought. Mr. Engineer also submits that the demand draft for the arrears of royalty with respect to the suit property would be submitted to the Court Receiver's office during the course of the week.

5. Mr. Engineer also submits that his client viz. Respondent No.10 in Contempt Petition No.37 of 2013 and Respondent No.1 in Contempt Petition No.31 of 2025 is present in Court.

6. Mr. Kamat, learned Senior Counsel, appearing for the Petitioner in Contempt Petition No.31 of 2025 submits that Respondents No.3 and 5 to 8 have just served a reply on him and that some time be granted to file rejoinder.

7. Mr. Purekar, learned Counsel, appearing for the Respondents No.3 and 5 to 8 seeks a direction to the Registry to accept the same.

8. Registry to accept the same.

9. The other learned Counsel appearing in the matter submit that their respective clients are present in Court.

10. Having heard the learned Counsel and having considered their submissions, the following order is passed :

- (i) Let reply(ies) if not already filed, be filed within a period of three weeks, with copy to the other side. Rejoinder(s), if any, be filed within a period of three weeks thereafter, with copy to the other side.
- (ii) Let the payment of royalty to the Court Receiver be made during the course of the week.
- (iii) List on **13th October 2025**.
- (iv) The Respondents/Contemnors in both the Contempt Petitions to remain present in Court on the next date, without fail.

(ABHAY AHUJA, J.)