

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

**CONTEMPT PETITION NO.28 OF 2024
IN
SUIT NO.112 OF 2024**

Siddharth Nagar Parijat Co-Op Hsg Soc ... Petitioner
Ltd.

Versus

White Water Developers ... Respondent

**Mr. Amogh A. Singh a/w. Mr. Nirav N. Karia i/b Mr. Bhavin R.
Bhatia, for Petitioner.**

Mr. Parth Katria i/b Mr. Nandu Pawar, for Respondent.

CORAM : Jitendra Jain, J.

DATED : 9 September 2025

PC:-

1. After hearing learned counsel Mr. Singh for the petitioner/original plaintiff and Mr. Wadekar, learned counsel for Respondent/Defendant No.1, *prima facie* there is a breach of order dated 6 February 2024 by defendant No.1. In the reply filed by defendant No.1/respondent No.1 it is admitted that due to financial crises they are unable to clear the dues. This is only a bald statement without giving any facts and from when the financial crunch arose. If the financial crunch arose there is no material to show that

financial crunch arose after the order dated 6 February 2024 was passed.

2. Therefore, *prima facie* there appears to be non-compliance of the order dated 6 February 2024.

3. Therefore, respondent Nos.1, 3, 4 and 5 are directed to show cause why action under the Contempt of Courts Act should not be initiated.

4. Mr. Wadekar tenders a judgment of the Supreme Court in the case of *Kanwar Singh Saini vs. High Court of Delhi*¹. The applicability of this judgment will be examined at the time of hearing but in the mean time the contemnors are directed to show cause as stated above.

5. Mr. Singh states that the petitioner is in the process of appointing a new developer.

6. List this matter on 16 October 2025 for further consideration.

(Jitendra Jain, J)

¹ (2012) 4 Supreme Court Cases 307