



rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**CONTEMPT PETITION (L) NO.30732 OF 2022**  
**IN**  
**SUIT NO.228 OF 2022**

RNA Splendour Buyers Association & Ors. ] .. Petitioners  
vs.  
A.A. Estate Pvt. Ltd. & Ors. ] .. Respondents

Mr.Rohan Savant a/w Abhijeet Mahadeokar for the Petitioners.

Mr.Pritesh Burad a/w Madhuri amre i/b Pritesh Burad Associates for  
Respondent Nos.5 and 6.

**CORAM : BHARATI DANGRE, J**

**DATE : 6<sup>th</sup> December, 2023.**

**P.C.**

1] Contempt Petition is filed alleging breach of the Consent Terms dated 04.04.2022 filed in Suit No.228/2022, which were accepted and given a shape of an order of this Court on 11.04.2022.

During the course of hearing of the Contempt Petition on 07.06.2023, the Affidavit in Reply came to be filed by Respondent Nos.2 to 6 and 8 projecting the difficulties posed by them in not abiding by the Consent Terms. However, the Court clearly recorded that it is an admitted position that the Respondent had received an amount of



Rs.9.22 Crores from the Petitioner and in Para 23 of the Affidavit in Reply, Respondent Nos.2 to 4 have clearly stipulated that in order to show their bonafide, they shall return the entire amount of Rs.9.22 Crores which was received from them.

Upon instructions, a statement was made that the amount of Rs.2 Crores shall be deposited in the Court within two weeks and balance of Rs.7.22 Crores, within a period of 6 weeks thereafter.

2] With great persuasion, an amount of Rs.2 Crores came to be deposited though beyond the time line, but still the sum of Rs.7.22 Crores is not deposited, as undertaken before this Court on 07.06.2023 in the Contempt Petition.

Thereafter, several orders are passed on 22.08.2023, 05.10.2023, 18.10.2023 and even on 25.10.,2023. The net result of the above orders being, Rs.7.22 Crores is still not deposited.

3] This act of the Respondent definitely amount to an aggravated contempt, but since the learned counsel for the Contemnors make a specific statement that he is ready to deposit the said amount as directed, in any case on or before 31.01.2024 in different tranches, I am inclined to permit it to purge the contempt of the order dated 07.06.2023, but for that purpose, I deem it appropriate to direct the statement to be made on an Affidavit.



4] The learned counsel representing Contemnors state that Respondent No.4 Amol Karpe Director of Respondent No.2 and the Partner of Respondent no.3 shall file an Affidavit indicating therein the timelines for deposit of the sum of Rs.7.22 Crores before 31<sup>st</sup> January, and if there is any failure to adhere to the said timelines, this Court shall take cognizance of this failure, as an aggravated contempt.

Let the Affidavit be filed on or before 11.12.2023.

Renotify to 12.12.2023.

**[BHARATI DANGRE, J]**