



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  
WITH  
INTERIM APPLICATION (L) NO.20655 OF 2024  
IN  
CONTEMPT PETITION (L) NO.30732 OF 2022

RNA Splendour Buyers Association & Ors. ...Petitioners

*Versus*

A. A. Estates Private Limited & Ors. ...Respondents

---

Mr. Rohan Savant, a/w Abhijeet C. Mahadeokar i/by Diwakar V. Gond,  
for the Petitioners.

Mr. Ativ Patel i/b AVP Partners, for Respondent Nos.1A to 1D.

Mr. Atul Damle, Senior Advocate a/w Mr. Pritesh Burad i/by Burad  
Associates, for Respondent Nos.2 and 3.

Mr. Atul Damle, Senior Advocate i/b Mayur Faria, for Respondent No.4.

Mr. Pritesh Burad a/w Mr. Nishant Badami i/b Pritesh Burad Associates,  
for Respondent Nos.5 & 6.

---

CORAM: MADHAV J. JAMDAR, J.

DATED: 25TH OCTOBER 2024

**P.C.:**

**1.** This Court passed following Order on 18<sup>th</sup> October 2024 :

*“(1) Mr. Atul Damle, learned Senior Counsel for the Respondent Nos.2 to 6, states that two Demand Drafts, one for an amount of Rs.50,00,000/- and another for Rs.1,00,00,000/- are ready, and the same will be deposited in this Court during the course of the day.*



(2) *Stand over to 24th October 2024 at 2:30 p.m. for reporting further compliance of the Order dated 16th October 2024.*”

**2.** On 18<sup>th</sup> October 2022, Mr. Damle, learned Senior Counsel for Respondent Nos.2 to 6 pointed out two Demand Drafts, one for an amount of Rs.50,00,000/- and another for Rs.1,00,00,000/- and he stated that the same would be deposited in this Court during the course of the day.

**3.** Today, Mr. Damle, learned Senior Counsel states that even said Demand Drafts, one for an amount of Rs.50,00,000/- and another for Rs.1,00,00,000/- which were shown to the Court on 18<sup>th</sup> October 2024 have not been deposited.

**4.** Mr. Mayur Faria, learned Advocate on record for Respondent No.4 states that however, the said Demand Drafts which were in his custody were taken by Respondent No.4 and therefore the same could not be deposited. On the instructions of Respondent No.4 who is present in Court, Mr. Damle, learned Senior Counsel states that the said Demand Drafts are now even not with the Respondent No.4.

**5.** *Prima facie*, conduct of Advocate, Mr. Mayur Faria, Advocate on record for Respondent No.4 amounts to interference in the administration of justice. This is the Contempt Petition where series of Orders were already passed earlier and pursuant to those Orders, said Demand Drafts in favour of the Prothonotary and Senior Master, High



Court, Bombay were brought to the Court and it was represented to the Court that during the course of the day i.e. on 18<sup>th</sup> October 2024, same would be deposited in the Court. The said Demand Drafts were returned back to Mr. Damle, learned Senior Counsel for depositing in this Court. Mr. Damle, learned Senior Counsel handed over the same to Mr. Mayur Faria, learned Counsel of the Respondent No.4 for depositing the same in this Court. Thus, Mr. Mayur Faria, learned Counsel of Respondent No.4 was holding said Demand Drafts as Trustee and as Officer of the Court for depositing the same in this Court. In fact, it is required to be noted that the said apprehension was expressed by the learned Counsel, Mr. Rohan Savant appearing for the Petitioner on 24<sup>th</sup> October 2024 and although Mr. Mayur Faria, learned Advocate for Respondent No. 4 was assisting Mr. Damle, learned Senior Counsel, it was informed to the Court that the said amount is deposited in this Court. Thus, this is a very serious matter, where an Advocate, who is the Officer of the Court has acted, *prima facie* in breach of his duties. The said two Demand Drafts, which Mr. Mayur Faria, Advocate was having of Rs.50,00,000/- and Rs.1,00,00,000/- in the name of Prothonotary and Senior Master were with him as Trustee and as Officer of the Court and he was supposed to deposit the same with Prothonotary and Senior Master. He has returned back the said Demand Drafts to the Respondent No.4 on 18<sup>th</sup> October 2024 and although this Contempt Petition was



listed on subsequent dates the same has not been brought to the notice of the Court.

**6.** *Prima facie*, the conduct of Advocate, Mr. Mayur Faria amounts to interference in the administration of justice. Accordingly, said Advocate, Mr. Mayur Faria is directed to file Affidavit-in-Reply within a period of three weeks from today explaining his conduct.

**7.** Mr. Rohan Savant, learned Counsel for the Petitioner points out that in fact the statement to deposit amount of Rs.9,22,00,000/- is made on behalf of the Respondent Nos.2 to 6 and 8 and the said statement made is accepted as an undertaking given to the Court by learned Single Judge (Manish Pitale, J.) by Order dated 7<sup>th</sup> June 2023.

**8.** Mr. Rohan Savant, learned Counsel for the Petitioners points out Order dated 6<sup>th</sup> December 2023 passed by Single Judge of this Court (Bharati Dangre, J.) and more particularly Paragraph Nos.3 and 4 in this Contempt Petition. Said Paragraph Nos.3 and 4 read as under :

*“(3) This act of 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 ”*

(Emphasis added)

**9.** Thus, it is clear that the *prima facie* the Respondents have committed contempt and the conduct noted herein above shows that aggravated contempt has been committed by them. Pursuant to Order dated 24<sup>th</sup> October 2024, today the Respondent Nos.4, 5 and 6 are present in the Court. Accordingly, Respondent Nos.4 to 8 are directed to remain present in the Court on 22<sup>nd</sup> November 2024.

**10.** Stand over to **22<sup>nd</sup> November 2024 at 2.30 p.m..**

BHALCHANDRA  
GOPAL  
DUSANE

( MADHAV J. JAMDAR, J.)

Digitally signed by  
BHALCHANDRA  
GOPAL DUSANE  
Date: 2024.10.25  
17:52:12 +0530