

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

SECOND APPEAL NO.520 OF 2011

Saberabi wd/o Syd. Maheboob and others

Vs.

Syd. Ibrahim Syd. Husen and others

WITH

CONTEMPT PETITION NO.235 OF 2022

IN

SECOND APPEAL NO.520 OF 2011

Saberabi wd/o Syd. Maheboob and others (Dead)

Vs.

Sayyed Kabir Sayyed Husain and Others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Muhammed Ateeque, Advocate for the appellants.

Mr. V. B. Gawali, Advocate for the respondent nos.1 to 4.

Mr. A. P. Deshmukh, Advocate for respondent no.3.

Mr. R. N. Ghuge, Advocate for respondent no.8.

CORAM : AVINASH G. GHAROTE, J.

DATE : 19/09/2022

1. Heard Mr. Muhammed Ateeque, learned counsel for the appellant contempt petitioner.

2. By an order on Civil Application No.1129 of 2011 dated 27.11.2012, this Court had directed the parties to maintain *status quo*, which was continued by the order dated 9.5.2013 and 24.6.2016 which order directed the *status quo* to operate during the pendency of the appeal, since the appeal stood admitted. It is contended, that in spite of that the respondent no.1 Sayyed Kabir Sayyed Hussain, in contravention to the order of *status quo*, has executed a deed of gift in respect

of the subject property on 3.2.2020 registered with the Joint Sub-Registrar Class – II, Washim in favour of the respondent no.2 his wife Smt. Chand Bee w/o Sayyed Kadir, who in turn on 1.7.2022 has executed a sale deed in respect of the subject property in favour of the respondent nos.3 to 5.

3. Issue notice of contempt to the respondent no.1, returnable on 28.9.2022.

4. Mr. Deshmukh, learned counsel appearing for the respondent no.1, who is the respondent no.3 in the Second Appeal No.520 of 2011, seeks time to take instructions, as to his appearance.

5. The respondent no.1, shall remain present in the Court on 28.9.2022.

JUDGE