



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

CONTEMPT PETITION NO. 235/2022

IN

SECOND APPEAL NO. 520/2011

Saberabi Syd. Mehboob Dead Through Legal Representatives & others

...VERSUS...

Sayyed Kabir & others

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

Shri Z.S. Shekhani, Adv h/f Shri M. Ateeque, Adv for the Appellant(s)

Shri A.J. Thakkar, Advocate for the Respondent No. 1

CORAM : SMT. M.S. JAWALKAR, J.

SEPTEMBER 27, 2023

. Heard.

(2) Contemnor/Respondent No. 1 present in person along with his Advocate.

(3) The following charge is framed against the respondent No.1:-

“That, you the Respondent No. 1 – Contemnor inspite of the order dated 27/11/2012 directing to maintain status-quo which was continued on 09/05/2013 and 24/06/2016, has flouted the said order by executing a Deed of Gift in respect of the subject property on

03/02/2020 registered with Joint Sub-Registrar, Class-II, Washim in favour of his wife - Smt. Chand Bee (Respondent No. 2), who in turn on 01/07/2022, has executed a Sale-Deed in respect of the subject property in favour of the Respondent Nos. 3 to 5, and thereby committed contempt of the order of this Court for which you are liable to be punished under Section 12 of the Contempt of Courts Act, 1971, with imprisonment?"

(4) The Respondent No.1 is present in person before this Court. The charge is framed in his presence and has been explained to the Respondent No.1 by the Court and he admits to have understood the same. Time is granted to reply to the charge till 26/10/2023.

(5) It appears that Respondent No. 1 and his wife have received amount of Rs. 18,00,000/- and odd towards sale consideration of the house as informed by Respondent No. 1. The transaction is prima facie illegal as there was order of this Court directing to maintain status-quo in respect of suit property.

(6) As such, Respondent No. 1 is hereby directed to deposit part sale consideration of Rs. 10,00,000/- with the Registry of this Court within a period of one month from today.

(7) If the Respondent No. 1 fails to deposit the amount as stated above within stipulated time, it will be treated as aggravated contempt of the order of this Court and necessary action will be initiated.

(8) Place the matter on 26/10/2023 for further consideration.

(9) Contemnor/Respondent Nos. 1 & 2 to remain present on the next date.

(JUDGE)