

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONTEMPT PETITION (C) NOS.155-156 OF 2012 IN SLP(C) Nos.33072-33073/2010

LALIT DWARKADAS CHAPSEY

Petitioner(s)

VERSUS

DR.B.B.PAUL & ORS.

Respondent(s)

(With appln(s) for exemption from appearing in-person on behalf of contemnno.1 and for dispensing with service of notice of personal appearance upon respondent no.7 and office report)

Date: 11/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AFTAB ALAM

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)

Mr. Tanmaya Mehtra, Adv.

Ms. Manjusha Wadhwa, Adv.

For Respondent(s)

Mr. Shekhar Nephade, Sr. Adv.

Mr. Chinmay Khaladkar, Adv.

Mr. Vimal Chandra S. Dave, Adv.

UPON hearing counsel the Court made the following

O R D E R

This case was last heard on September 06, 2012. On that day, the Court expressed the prima facie view that respondents were apparently in contempt of the Court and gave them four days' time to purge themselves of the contempt by vacating the suit premises.

Today, the learned counsel appearing for the petitioner states that while vacating the suit premises, they have badly vandalized it to the extent that the pillars of the building were demolished, the water connections were broken and the doors were removed along with their frames. Some photographs are presented before us which show the house in a badly damaged state.

Before proceeding further in the matter, we would like to have a reliable and authentic report in that regard. We, therefore, direct the Registrar-General of the Bombay High Court to visit the suit premises personally and to submit a report in regard to the alleged damages caused to the suit premises by the respondents while moving out from it. The report will also indicate whether the damages are recent or those are old damages.

In case anyone tries to cause any obstruction in the spot inspection, the Registrar General will ask for help from the Police Commissioner, Mumbai, who will extend the full co-operation and assistance to him to inspect the suit premises and prepare the report as directed above.

The report should be sent to this Court within ten days from the date of receipt of a copy of this order.

It may here be noted that Mr. Shekhar Nephade, learned counsel for alleged Contemnors 1 & 2 stated that the respondents had vacated the house and had tried to hand over its possession to the petitioner but the petitioner did not give any receipt in acknowledgment of taking over of the possession of the house.

We are expressing no opinion on the statement made by the two sides. We will pass any further order only on the receipt of the report of the Registrar General of the Bombay High Court.

Put up immediately on receipt of the report of the Registrar

General.

	(Sanjay Kumar)	Court Master		(Sneh Bala Mehra)	
		Court Master			