



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11652 OF 2023

Seawoodss Estates Ltd. & Ors.

...Petitioners

Versus

Union of India Thr. Aayakar Bhavak

...Respondent

WITH

INTERIM APPLICATION NO. 16137 OF 2023

IN

WRIT PETITION NO. 9513 OF 2023

Sharmila Sankar & Ors.

...Applicants

Versus

Seawoodss Estates Ltd. & Ors.

...Respondents

AND

WRIT PETITION NO. 17725 OF 2023

Seawoodss Estates Ltd. & Ors.

...Petitioners

Versus

Union of India Thr. Aayakar Bhavak

...Respondent

Mr. Yash Agarwal i/b Mr. Sattyendra Muley for the Petitioner in WP/11652/2023.

Ms. S.V. Sonawane aw Mr. Satish Muley aw Mr. Mosin Naik aw Mr. Zhoab Sayyed for the Petitioner in WP/1677/2025.

Mr. Y.S. Bhate aw Mr. D.P. Singh i/b Mr. A.A. Ansari for Respondent No.1.

Mr. R.K. Dubey i/b Mr. R.P. Ojha for Respondent No.3.

Mr. Kedar B. Dighe, Addl. G.P. aw Mr. M.M. Pabale AGP for State.

Ms. Manisha Shekhar Jagtap for Respondent NO.5/PMC.

Mr. Tejesh Dande for Respondent No.6 in WP/11652/2023 and for Respondent No.2 in WP/1677/2025.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE: 04 FEBRUARY 2025

P.C.

1. Today Ms. Sonawane, learned Counsel for the added respondent Mrs. Leela Verma has placed on record an affidavit. At the outset, she submits that there are communications addressed by one Mrs. Vineeta Srinandan,

Cultural Director of the petitioner, which she has reservations to read in the open Court considering the contents of the same being highly derogatory nature and completely undermining the esteem dignity of the Court. We are disturbed by the documents placed on record on behalf of the Mrs. Leela Verma - the added respondent in the proceedings, and more particularly, E-mail dated 24 January 2025 addressed by Mr. Alok Agarwal, letter dated 26 January 2025 addressed to Mrs. Leela Verma and the circular dated 29 January 2025, these two communications are issued by Mrs. Vineeta Srinandan, Cultural Director of the petitioner.

2. Mr. Alok Agarwal, Authorized Representative of Seawoods Estate Limited - Petitioner is present in the Court. Having read the contents of all these communications, in our opinion on the face of it, amounts to a Criminal Contempt of Court. Also the e-mail addressed by Mr. Alok Agarwal ex facie shows his disregard to the order dated 21 January 2025 passed by this Court.

3. We have no manner of doubt that contempt proceedings are required to be initiated for such conscious and brazen derogatory and objectionable contents of the said communications. We would have intended to immediately commence criminal contempt proceedings as the law would mandate against Mrs. Vineeta Srinandan, considering the impurity and tenor of her writings, however, as we are informed that she is at present out of India

in Abu Dhabi, we are unable to proceed against her. We accept the statement that she is not in the country. An intimation be given by the petitioner of her return.

4. However, today Mr. Alok Agarwal is present on behalf of the petitioner, who states that he is a person authorized to represent the petitioner. He also appears to be the author of the said e-mail. He states that the petitioner intends to tender an unconditional apology for these acts. He states that these letters are written by Mrs. Vineeta Srinandan in the capacity of Director, Cultural of Seawoods Estate. He states that all these communications noted above, and the e-mail addressed to Mrs. Leela Verma shall be unconditionally withdrawn. We accept such statement.

5. Let clarificatory circulars on behalf of the petitioner be immediately issued and of an unconditional apology on such material be circulated. Let the same be published on the notice board of the society and communicated to all the members by respective E-mails.

6. We also direct Mr. Alok Agarwal to place on record an affidavit of unconditional apology on the part of the petitioner - Seawoods Estate Limited and also the undertaking that the orders passed by this Court dated 21 January 2025 shall be complied. Such affidavit be placed on record on or before the adjourned date of hearing.

7. While parting, we may observe that the conduct of Mrs. Vineeta Srinandan as observed above amounts to a Criminal contempt of a serious nature. We presume that the same was not supported by other office bearers of the Board of Directors of the petitioner. Although, we have issued aforesaid directions to enable the petitioner to remedy the situation and such communications being removed, we have not examined the issue whether Mrs. Vineeta Srinandan has addressed these communications in consultation with the other office bearers of the petitioner's management. If this be so, then appropriate action as per law would be required to be taken against all such persons who are responsible and who have aided in issuing such material lowering the authority of the Court and interfering in the administration of justice and the Court proceedings, after considering the relevant facts in that regard and after considering the nature of the compliances as directed by us, whether are fulfilled in letter and spirit.

8. Stand over to **05 January 2025** to be called out at **2.30 p.m.** for compliance and further orders to be passed.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)