



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 459 OF 2026
IN
WRIT PETITION NO. 8308 OF 2026**

LIC Housing Finance Limited ... Petitioner
vs.
Shrirang Sadashiv Gokhale and another ... Respondents

Mr. Akhil Sarathy, i/b. Mr. Raghavan Sarathy for petitioner.

Mr. Rashid Khan a/w. Mr. Prashant Phophale, i/b. PMH Law for respondents.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ**

DATE : 09th SEPTEMBER, 2026

P.C. :

1. In this petition, while issuing notice on 18.08.2026, this Court *prima facie* found that the conduct of the respondents was contumacious and they need to explain their conduct, failing which appropriate orders must follow for willful disobedience of the order of this Court.

2. This contempt petition is concerned with an order dated 07.07.2026 passed in Writ Petition No.8308 of 2026. The said writ petition was dismissed. It was noted that the respondents had given an undertaking to the Debts Recovery Tribunal (DRT) that they would vacate the subject property within a particular period of time.

3. While holding that no case was made out to entertain the petition, in the face of alternative, efficacious, statutory remedy available, under the provisions of the Securitisation and

Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act), this Court, as a matter of indulgence, in paragraph No.4 of the order dated 07.07.2026, extended the time period for the petitioner to abide by the undertaking given to the DRT and to shift the patients from the subject property which is a hospital. It was further made clear that the Debts Recovery Appellate Tribunal (DRAT) would proceed in accordance with law, to consider the appeal filed by the respondents.

4. In the present petition, it was brought to our notice on 18.08.2026, that not only did the respondents fail to abide by the direction of this Court to shift the patients from the aforesaid structure (hospital), which is a secured asset, but in blatant violation of the order of this Court, the respondents proceeded to admit further patients in the hospital. The documents filed along with the contempt petition, show that in defiance of the direction of this Court, the respondents admitted as many as 52 patients in the hospital. In that light, while issuing notice in the contempt petition by the aforesaid order, this Court further directed that the respondents shall not admit any patient in the hospital.

5. The respondents appear to have e-filed their reply affidavit along with documents. The same has not been shared by the Registry, as it was initially lying in defects. The Registry is directed to share the same with this Court on the next date of hearing. To assist this Court, the learned counsel for the respondents tendered the original physical notarized affidavit dated 01.09.2026. The same is taken on record for convenience.

6. The learned counsel for the petitioner submits that despite the

specific direction issued in the order dated 18.08.2026 not to admit any further patients, the respondents have continued to admit them, indicating this to be a case of aggravated contempt.

7. The learned counsel for the respondents relies upon the contents of their reply affidavit. He submits that an unconditional apology is being tendered on behalf of the respondents. In this connection, he refers to paragraph Nos.2 and 7 of the same. The allegation that further patients were admitted even after the aforesaid order was passed by this Court, is not denied and instead, the conduct is sought to be explained on the ground that some patients required immediate attention and they could not be refused treatment and therefore, they were admitted.

8. We find this explanation to be totally unacceptable. It is not as if the hospital run by the respondents is the only hospital in the city of Pune. There are a number of hospitals, where the patients could be admitted. The respondents seem to be indicating that if the alleged contemnors are doctors, they can be spared of consequences of willful disobedience of the order of this Court, only on the ground that they found it appropriate to admit patients in the hospital, in the teeth of undertaking given to the competent tribunal and specific order passed by this Court. Such an explanation and approach of the respondents amounts to aggravated contempt and the respondents need to be dealt with firmly.

9. We are informed that the respondents have not taken any steps to move their appeal for effective orders before the DRAT and instead, they are defiantly, willfully and repeatedly disobeying the orders of this Court.

10. Before dealing with the respondents for their willful disobedience of the orders and directions of this Court and before proceeding further, we are of the opinion that in the first place, directions of this Court must be obeyed. There has to be respect for the Rule of law and majesty of the Court. Otherwise, the whole edifice on which the structure of justice is based, will come crumbling down.

11. In view of the above, we direct the respondents to ensure that the patients presently admitted in the said hospital, in defiance of repeated directions issued by this Court, are properly shifted to other facilities on or before 16.09.2026. We will not brook any violation of the said direction issued today.

12. List the petition for further directions on 17.09.2026, to be included in the supplementary list.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)