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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010119242026

+ **CONT.CAS(C) 507/2026 & CM APPL. 40646/2026**

MS ANITA RAI & ORS.

....Petitioners

Through: **Ms. Anita Rai, Adv.**

versus

MR PARAMVIR SINGH RAI & ANR.

....Respondents

Through: **Mr. Piyush Chhabra, Mr. Mosim Ahmad, Ms. Komalta Bhargava, Mr. Angad Singh, Mr. Sarthak Rami and Mr. Sarthak Singh, Adv. for R-1**

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

ORDER
01.09.2026

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1. The present Contempt Petition, under Article 215 of the Constitution of India read with Sections 11 and 12 of the Contempt of Courts Act, 1971, has been filed seeking to initiate contempt proceedings as against the Respondent No. 1 on account of alleged contumacious conduct on behalf of the Respondent No. 1. The reliefs, as sought for, are reproduced hereinunder:

“....

a) Hold the Contemnor guilty for his gross, willful, contemptuous and deliberate contempt of the order dated 17.07.2020 passed by this Hon'ble High Court in Crl. MC 1483 of 2020 and violation of the undertaking filed before this Hon'ble Court on 24.07.2020.

b) Direct the Respondent/Contemnor No. 2 to direct the fees of Rs. 70,00,000 as a deposit with the court.

....”



2. This Court has queried the Petitioner as to whether there is any mention of 'education expenses' being borne either in the Order or in the Undertaking on the basis of which the present Contempt Petition has been filed.

3. Learned counsel for the Petitioners submits that the Respondent No. 1 had undertaken to pay the school fees in terms of the Order dated 17.07.2020. It is therefore submitted that as a natural consequence of the same, the fees in respect of further education would also be required to be paid.

4. It is also submitted that this would have to be interpreted as the intent of the Court's Order and the non-payment of the same is in violation of the directions passed by this Court in its letter and spirit.

5. Learned counsel for the Petitioners further submits that the undertaking also records that maintenance would be paid and the same would be done in a timely manner.

6. She seeks to rely upon a judgment of the Division Bench of this Court in the case of ***Praveen Kumar Jain vs. Anju Jain*** [2024:DHC:5636-DB], to submit that in terms of Section 26 of the Hindu Marriage Act, 1955, maintenance would include the payment for further education as well and therefore, the present Contempt Petition is maintainable.

7. This Court has heard the learned counsel for the parties and with their able assistance, gone through the material placed on record.

8. This Court is of the considered view that the scope of inquiry in contempt proceedings is confined to determining whether there has been any wilful and deliberate disobedience of the express directions contained in the Order of this Court or of the undertaking furnished pursuant thereto. Upon a perusal of the Order dated 17.07.2020, this



Court finds no direction requiring the Respondent No. 1 to bear or pay the expenses towards the Petitioners' further education. The said Order specifically records the obligation in respect of payment of school fees, and the undertaking subsequently furnished by the Respondent No. 1 was in furtherance of, and must necessarily be construed in accordance with, the directions contained in the said Order. In the absence of any express stipulation either in the Order or in the undertaking requiring payment of expenses towards further education, the scope of the Order dated 17.07.2020 cannot be enlarged or expanded in contempt jurisdiction to encompass an obligation which was not expressly directed by this Court. The Petitioners' contention that the obligation to pay school fees must, by necessary implication, extend to expenses incurred towards further education cannot, therefore, be accepted for the purposes of determining whether the Respondent No. 1 has committed contempt of this Court.

9. In this view of the matter, this Court finds that the present Petition is misconceived and the same is accordingly dismissed and disposed of, along with pending application(s), if any.

10. Needless to state that the Petitioners are at liberty to take such steps as are available under law for canvassing the issue of payment of fees for "further education" by the Respondent No.1.

HARISH VAIDYANATHAN SHANKAR, J

SEPTEMBER 1, 2026/rk/va