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IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION******CONTEMPT PETITION No. 541 OF 2014
IN
FAMILY COURT APPEAL No. 155 OF 2010******Kuljit Kaur Saini******...Petitioner******Vs.******Manmohan Singh Panthlia******....Respondent***

Mr. P. Ranjan i/b. Halai & Co. for Petitioner

Mr. Ramesh Shinde for Respondent

CORAM : V. M. KANADE &***Ms. NUTAN D. SARDESSAI, JJ.******DATE : DECEMBER 5, 2016******P.C. :***

1. Heard the learned counsel appearing on behalf of the Petitioner and the Respondent.
2. The grievance of the Petitioner is that though a direction has been given to the Respondent to pay the maintenance on or before 5th of every month, the Respondent is not adhering to the said direction and is making payment not before 5th of each month but some time later in that month.

3. In the affidavit in reply, the Respondent has stated that on account of his problems, he is not in a position to make the payment on or before 5th of each month. He has stated that he has paid the maintenance before the end of each month.

3. In our view, there is substantial compliance of the order passed by this Court and, therefore, it cannot be said that the Respondent has intentionally and willfully committed a default. Hence, contempt petition is dismissed. We, however, direct the Respondent to ensure that the maintenance amount is paid on time in future and for that to make separate arrangements to ensure that the maintenance amount is kept ready so that the Petitioner can pay the expenses of her child and herself. Contempt petition is accordingly disposed of.

Ms. NUTAN D. SARDESSAI, J.

V.M. KANADE, J.