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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 693/2013 & C.M.No.30685/2016

MANJU GANDHI

..... Petitioner

Through Mr.Aman Mehta, Advocate.

versus

MANOHAR NARWANI

..... Respondent

Through None

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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20.12.2016

Present contempt petition has been filed alleging wilful disobedience of the undertakings dated 7th December, 2012 before the Executing Court and undertaking dated 5th July, 2013 passed in the Execution First Appeal No.15/2013.

This Court is informed that the Execution First Appeal No.15/2013 has subsequently been dismissed for non-prosecution.

Consequently, this Court is of the opinion that if the petitioner has suffered any monetary loss on account of an alleged mis-statement/false undertaking given in the said proceedings, the petitioner has the remedy to seek restitution. Further, as the petitioner's execution proceeding is already pending adjudication, this Court is of the opinion that the petitioner has an alternative effective remedy.

Consequently, the present contempt petition is closed and the petitioner is given liberty to raise all her grievances before the Executing Court.

MANMOHAN, J

DECEMBER 20, 2016/KA