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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 1002/2016 & C.M.No.31993/2016

CHANDRESH GOEL

..... Petitioner

Through Mr.S.S.Jain, Advocate.

versus

MUKESH KUMAR

..... Respondent

Through None

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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15.11.2016

Present contempt petition has been filed alleging wilful disobedience of the undertaking and order dated 29th October, 2015 passed in RCT No.171/2013, wherein the respondent-objector undertook to pay the occupation charges of Rs.1200 per month w.e.f. 10th February, 2008 within ninety days and further undertook to deposit Rs.1200 per month on or before 15th day of each calendar month from November, 2015.

Learned counsel for petitioner states that despite the aforesaid undertaking, arrears of occupation charges w.e.f. 10th February, 2008 have not been deposited till date.

In the opinion of this Court, since by undertaking dated 29th October, 2015, the order passed by the learned ARC stood modified, the petitioner has an alternative effective remedy by filing execution proceedings.

Consequently, the present contempt petition is dismissed with liberty to the petitioner to file appropriate legal proceedings in accordance with law.

MANMOHAN, J

NOVEMBER 15, 2016
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