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

+ **CONT.CAS(C) 28/2017 & C.M.No.1636/2017**

NISHA RANI

..... Petitioner

Through Mr.Durgesh Chand Seth, Advocate.

versus

SOHAN SINGH NEHRA

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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16.01.2017

Present contempt petition has been filed alleging wilful disobedience of order dated 20th of July, 2016 passed by a Division Bench of this Court in MAT. APP. (F.C) No.82/2014, whereby the respondent-husband was directed to ensure payment of the maintenance amount for the months of January and February, 2016 at the rate of Rs.20,000/- per month to the petitioner-wife by way of a demand draft within two weeks.

Learned counsel for the petitioner-wife states that despite the aforesaid order, the maintenance for the months of January and February, 2016 have not been paid by the respondent-husband till date.

In the opinion of this Court, the petitioner has an alternative effective remedy by way of proceedings under Section 28A of the Hindu Marriage Act, 1955. The said Section reads as under:-

“28A. Enforcement of decrees and orders. – All decrees and orders made by the court in any proceeding under this Act shall be enforced in the like manner as the decrees and orders of the court made in exercise of its original civil jurisdiction for the time being are enforced.”

In view thereof, present contempt petition is dismissed with liberty to the petitioner to file the proceedings under Section 28A of the Hindu Marriage Act, 1955.

MANMOHAN, J

JANUARY 16, 2017
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