

\$~49

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

+ **CONT.CAS(C) 60/2017 & C.M.No.2872/2017**

ALKA BHASIN

..... Petitioner

Through

Mr.Sanjeev Sahay with Mr.Aditya
Sharma, Advocates.

versus

SANJAY BHASIN

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

23.01.2017

Present contempt petition has been filed alleging wilful disobedience of the order dated 20th December, 2016 passed in CM(M) No.1311/2016, whereby the respondent-husband was restrained from proceeding further in the divorce proceedings initiated by him before the Court of Common Pleas In And For The County of Montgomery County, Pennsylvania, Family Court Division.

Learned counsel for petitioner at first call had stated that despite the aforesaid order, respondent-husband is proceeding to obtain a divorce decree.

Attention of learned counsel for the petitioner had been drawn to the judgment of the Supreme Court in ***Kanwar Singh Saini Vs. High Court of Delhi (2012) 4 SCC 307***. He had requested a passover to peruse the said judgment.

At the passover stage, learned counsel for the petitioner is not present. Consequently, in view of the ratio of the Supreme Court in *Kanwar Singh Saini* (supra), present petition is disposed of with liberty to the petitioner to file alternative proceedings under Order 39 Rule 2A, CPC. In the event, the same is filed within four days, the trial court is directed to decide the application expeditiously.

With the aforesaid observations, the present contempt petition and the application stand disposed of.

MANMOHAN, J

JANUARY 23, 2017
KA