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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 348/2017 & CM APL. 17367/2017

HIMANSHI MANOCHA

..... Petitioner

Through: Mr. Nishant Datta, Advocate with
Ms. Himanshi Manocha.

versus

KARAN MANOCHA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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08.05.2017

Present contempt petition has been filed alleging wilful disobedience of the order dated 01st September, 2016, passed in HMA Case No. 74585/2016, whereby the first motion petition preferred by the parties was disposed of in accordance with the Settlement Agreement dated 27th August, 2016.

It is pertinent to mention that as per the terms and conditions of the said settlement agreement, the respondent undertook to pay an amount of Rs.1.25 crores towards the petitioner and the minor child subject to petitioner withdrawing all cases filed by her against the respondent as well as his family members.

Learned counsel for petitioner states that though the petitioner pursuant to the aforesaid order as well as the Settlement Agreement has

withdrawn all cases filed by her against the respondent, yet the respondent has not paid any amount to the petitioner till date.

In the opinion of this Court, petitioner has an alternative effective remedy by filing an enforcement application under Section 28A of the Hindu Marriage Act, 1955.

At this stage, learned counsel for petitioner wishes to withdraw the present contempt petition with liberty to file an application under Section 28A of the Hindu Marriage Act, 1955.

With the aforesaid liberty, present contempt petition and application are disposed of.

This Court is confident that in the event the said application is filed, the same shall be dealt with expeditiously by the Family Court.

MANMOHAN, J

MAY 08, 2017

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