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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.46 OF 2014**

Mrs. Kangana Satyen Mehtani Petitioner.
V/s
Mr. Satyen Chourmal Mehtani Respondent.

Mr. Chandrakant N. Chavan for the Petitioner.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 6, 2020

P.C.:-

1] In order dated 4th October, 2019, this Court has already noted that there are execution proceedings initiated by the Petitioner in the matter of recovery of arrears of maintenance. Once execution proceedings are initiated and pending at the behest of the Petitioner, position in law is quite clear that no parallel proceedings under the Contempt of Courts Act are maintainable. This Court is not inclined to consider the request of the learned Counsel for the Petitioner to adjourn the matter as this Court is not interested in giving false hopes to any of the parties who are before it. The order dated 4th October, 2019 speaks of issuance of distress warrant for recovery of the arrears of maintenance.

2] Since the Petitioner has rightly taken recourse to execution proceedings, in my opinion, present contempt proceedings are not maintainable for execution of the very same order for payment of arrears of maintenance.

3] Keeping right of the Petitioner intact to pursue execution proceedings, which executing court is directed to deal with expeditiously, I see no cause which warrants interference in these contempt proceedings so as to prompt this Court to take cognizance of. Contempt Petition, as such, stands disposed of.

(NITIN W. SAMBRE, J.)