

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CONTEMPT PETITION NO.20 OF 2019

(Supriya w/o Mayank Yadav Vs. Mayank s/o Chandrashekhar Yadav)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri G.S. Gaur, Advocate h/f Shri D.V. Chauhan, Advocate for Petitioner.
Shri T.G. Raza, Advocate h/f Shri G.A. Mohammad, Advocate for
Respondent.

CORAM: RAVINDRA V. GHUGE, J.

DATE: 3rd JANUARY, 2020.

1. The petitioner contends that the order dated 22.11.2017 passed by the learned Judicial Magistrate First Class, Hingna below Exhibit 04 in Miscellaneous Criminal Application No.42/2017 has not been complied with. It is further pointed out that the respondent has given an undertaking by way of a purshis dated 08.06.2018 before the learned Joint Civil Judge, Senior Division and Judicial Magistrate First Class, Hingna as regards compliance of the order.

2. It is informed that the petitioner has already initiated execution proceedings with regard to the same order dated 22.11.2017 by which the respondent is directed to pay certain amounts to the petitioner.

3. In my view, contempt of court proceedings under the Contempt of Courts Act are not aimed at seeking execution of an order. When an order is executable, contempt petitions are not to be entertained.

4. In view of the above, this contempt petition stands dismissed. Needless to state, that the dismissal of the contempt petition would not be an impediment to the pending execution proceedings or other litigation between the parties.

(Ravindra V. Ghuge, J.)