

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.66 of 2022 .

Lochan Suresh Shenvekar ..Petitioner

v/s.

Sou. Uttara Lochan Shenvekar ..Respondent

Mr. Sujit Bugade for the Petitioner.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 29th APRIL, 2022.**

P.C.

1. The Petitioner husband has filed this Petition under the Contempt of Court Act alleging willful disobedience on the part of the Respondent in proceeding under Section 13B of the Hindu Marriage Act, in Hindu Marriage Petition No. 1007 of 2019 pending on the file of the Civil Judge, Senior Division, Kalyan.

2. Heard learned Counsel for the respective parties. I have perused the records.

3. The records reveal that the Petitioner and the Respondent had filed a petition under Section 13B of the Hindu Marriage Act bearing No.1007 of 2019. The Respondent subsequently failed to remain present before the Court. This according to the Petitioner is the Contempt of Court. It is not the case of the Petitioner that the

Respondent has disobeyed or committed breach of the Order of the Court or any undertaking given to the Court. It appears that, the breach is of the undertaking given by the Respondent to the Petitioner and not to the Court. This does not constitute Civil Contempt within the meaning of Section 2(b) of the Contempt of Courts Act. Hence, the contempt petition has no merits and is accordingly dismissed.

PRASANNA P
SALGAONKAR

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(ANUJA PRABHUDESSAI, J.)