

HIGH COURT FOR THE STATE OF TELANGANA :: HYDERABAD

MAIN CASE :: C.C.No.1374 of 2021.

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
5.	26-06-2023	<u>HCJ & BVR, J</u> <u>I.A.No.2 of 2022</u> 1. Heard Ms. A.V.S. Laxmi, learned counsel for the applicant; and Ms.T.Suneema, learned counsel representing Mr.V.Jagapathi, for the respondents. 2. This interlocutory application has been filed for reviving Contempt Case No.1374 of 2021 which was closed by this Court on 22.04.2022. Order dated 22.04.2022 reads as follows: “The present Contempt Case is filed alleging willful disobedience of Common Judgment dated 29.06.2021, passed in F.C.A. Nos. 197 and 226 of 2016 and 79 of 2017. Mr. D.Satyanarayana, who is the General Power of Attorney Holder of the sole respondent, appeared before this Court on 28.03.2022 and stated that he will be depositing Rs.85 lakhs, as directed by this Court by the impugned Common Judgment dated 29.06.2021, within fifteen days.	

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		Today, letter dated 12.04.2022 addressed by learned counsel for the respondent to the Registry has been placed before the Court. The same reveals that the amount has been deposited through Demand Draft No. 111790 dated 04.04.2022 for a sum of Rs.60 lakhs and Demand Draft No. 111810 dated 08.04.2022 for a sum of Rs.25 lakhs, drawn on the State Bank of India, Panjagutta Branch, meaning thereby that the principal amount has been deposited in the matter and now, the parties do not have any grievance against each other as stated in the open Court. At this stage, it has been informed that a case is pending before the Superior Court at New Jersey, USA, and maintenance amount of Rs.25,000/- per month is being deducted from the wages of the respondent. Learned counsel for the petitioners was fair enough in stating before this Court that the petitioners will not be claiming the aforesaid amount and they will also withdraw the case, which is pending before the Superior Court at New Jersey, USA, within thirty days from today. In the light of the order passed today, all cases filed and pending between the parties have come to an end. The Contempt Case stands disposed of accordingly.” 3. The Contempt Case is sought to be reopened by the applicant/husband on the ground that the 1st respondent/wife has not withdrawn the	

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		case pending before the Superior Court at New Jersey, USA as per the statement made by her. 4. The contempt case was filed by the 1st respondent/wife alleging that the alimony was not paid to her as was directed by the Court in F.C.A.Nos.197 and 226 of 2016 and 79 of 2017. This Court noted that the amount of alimony was deposited by the applicant/husband whereafter it was observed that parties did not have any grievance against each other. However, this Court noted that a case was pending before the Superior Court at New Jersey, USA, wherein, maintenance amount of Rs.25,000/- per month was being deducted from the wages of the applicant/husband. It was at this stage that learned counsel for the 1st respondent/wife made a statement before the Court that she would not be claiming the aforesaid amount and would also withdraw the case pending before the Court at New Jersey within thirty days. 5. The interlocutory application has been	

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		filed alleging that 1st respondent/wife has reneged on her assurance to the Court and has continued with the proceedings before the Superior Court at New Jersey. 6. We are of the view that it would be open to the parties to approach the Superior Court at New Jersey and appraise the Court about the decree of divorce as well as the undertaking given by the 1st respondent/wife before this Court that she would withdraw the pending case before the Superior Court at New Jersey, USA within thirty days. 7. In any view of the matter, that cannot be a good ground for reviving the contempt case which was closed. 8. Subject to the above, I.A. is disposed of. _____ H CJ _____ BVR, J ajr	

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