

2023:PHHC:147304

COCp-3465-2023 (O&M)

Date of Decision: 20.11.2023

Sanjiv Kumar

...Petitioner

Vs.

Mamta

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Umesh Aggarwal, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner by way of this contempt petition seeks implementation of order passed by the Family Court dated 15.04.2023.
2. This Court finds that the said order stands merged with the order dated 12.09.2023, whereby the petition under Section 13-B of the Hindu Marriage Act, 1955, was dismissed.
3. Learned counsel submits that the undertaking was given by his wife to appear in the petition filed under Section 13-B of the Act, wherein initially he paid a sum of Rs.2,00,000/-. The payment of Rs.2,00,000/- had been disputed by the wife.
4. This Court in COCP-2912-2023, titled Seema Gyanchandani vs. Rahul Gyanchandani, decided on 16.11.2023, has held that contempt would not lie directly before the High Court with regard to implementation of the orders passed by the Family Court.
5. In view thereof, the contempt petition is dismissed. However, dismissal of the contempt petition will not take away the right of the petitioner to avail his appropriate remedy, in accordance with law.

**(SANJEEV PRAKASH SHARMA)
JUDGE**

20.11.2023.

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| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable? | : | Yes/No |