

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

**CONTEMPT PETITION NO.280 OF 2023
IN
CRIMINAL WRIT PETITION NO.4037 OF 2021**

Sagar Sanjay Kamble @ Sakshi Vithal Khatri ...Petitioner

V/s.

Vithal Manik Khatri and Anr. ...Respondents

Ms. Vrushali Maindad a/w. Mr. Mahenoor Khan for the Petitioner.
Mr. Sushant Prabhune a/w. Ms. Diksha Patil for the Respondent.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 29th JANUARY, 2024.

P. C.:-

1. Heard.

2. Contempt is alleged of the order dated 16th March 2023 directing the respondent No.1 herein to clear arrears of maintenance within a period of 4 weeks from today.

3. Ms. Maindad, learned counsel appearing for the petitioner submits that the arrears of maintenance was Rs. 7,68,000/- out of which only Rs.6 lakhs has been cleared.

4. Learned counsel appearing for respondent No.1 points out the order of this Court dated 22nd December 2023 which records the submission of learned counsel for the petitioner that the balance amount is of Rs.1,11,000/-. He submits that the said amount has already been paid.

5. Countering this submission, learned counsel for the petitioner would submit that there was an error in calculation and there is certain amount still balance.

6. Considering that a submission was made before this Court on 22nd December 2023 that the balance amount is Rs.1,11,000/- which was permitted to be paid, the contempt, if any has been purged by the respondent No.1. In the contempt proceedings, it is not possible for this Court to enter into aspect of reconciliation of accounts. It is sufficient that this Court by order dated 22nd December 2023 recorded the quantum of arrears as submitted by learned counsel for the petitioner, which is not disputed to have been paid to the petitioners.

7. In view of the above, the contempt if any, stands purged. Contempt petition is dismissed.

8. Needless to clarify that if upon reconciliation of accounts if there is any amount outstanding, the dismissal of the present petition will not come in the way of the petitioner to recover the same by adopting appropriate proceedings.

(SHARMILA U. DESHMUKH, J.)