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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 121/2024**

MOHIT VATS

.....Petitioner

Through: Mr. Sunil Kumar and Mr.
Manish Bhadauria, Advs.

versus

SMT. SHEETAL VATS

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

04.07.2024

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1. The petitioner is seeking initiation of contempt proceedings against the respondent for willful disobedience of the terms of settlement dated 13.12.2022, which was approved by the learned Additional Principal Judge, Family Court, Shahdara, Delhi in HMA No. 270/2023 *vide* order dated 14.02.2023.
2. It is stated that the respondent was handed over the possession of the ground floor of the property bearing House No. 754, Gandhi Ganj, Hapur, State of Uttar Pradesh, for the well-being of the minor children of the parties and it was also agreed upon that on the children attaining the age of majority, the property shall be divided equally between the two children.
3. Although, notice has been issued to the respondent, however, the report is still awaited. Affidavit of service has not been filed by the petitioner.
4. The grievance of the petitioner is that the respondent in



complete violation of letter and spirit of the settlement and the decree passed by the learned Family Court, has allegedly broken the locks of the first floor of the property and has unlawfully trespassed into the same and she has further let out the ground floor portion of the property to a tenant, from whom she is collecting rent.

5. *Ex-facie*, the aforesaid grievances cannot be redressed in the present contempt proceedings. The petitioner has independent remedies so as to seek the recovery of possession of the first floor of the property. Likewise, in case the terms and conditions of the settlement have been violated, the petitioner may seek appropriate remedy before the learned Family Court/Executing Court.

6. The present petition is disposed of with liberty to the petitioner to file appropriate proceedings against the respondents for redressal of his grievances in accordance with law.

DHARMESH SHARMA, J.

JULY 04, 2024

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