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

+ **CONT.CAS(C) 789/2021**

KIRAN ABNASHI CHAWLA

.....Petitioner

Through: Mr. Abhishekh Kumar Rao, Mr.
Shailesh Suman, Advs with petitioner
in person

versus

VINEET TIWARI

.....Respondent

Through: Mr. Bhavya Sethi, Mr. Anshul Tyagi,
Mr. Amit Malik, Mr. Anupam
Sharma, Mr. Akash Garg, Mr.
Shubham Garg and Mr. Raghbendra
Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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05.11.2024

1. In this contempt petition following prayer has been made by the petitioner:-

"a) Summon, prosecute and punish the contemnor in accordance with law for contempt of court for wilful disobedience of Judgment and Decree dated 26.04.2012 of this Hon'ble Court in C.R.P. No. 65 of 2007 and obstructing the administration of justice;

b) Pass any other or such further orders which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. The above prayer would indicate that the petitioner has alleged wilful disobedience of judgment and decree dated 26.04.2012 passed in C.R.P. No.65 of 2007 and alleged obstruction in administration of justice.



3. The Court is of the considered opinion that if the judgment and decree dated 26.04.2012 has not been implemented by the other side, the appropriate remedy would be to seek execution in accordance with law and the same cannot be construed to be willful disobedience of the judgment and decree dated 26.04.2012. However, if there is any obstruction created by the other side, the same can very well be looked into in appropriate proceedings.

4. The Court is of the considered opinion that under the fact of the present case, the contempt proceedings cannot be initiated against the respondent as such the contempt petition is accordingly disposed of.

PURUSHAINDRA KUMAR KAURAV, J

NOVEMBER 5, 2024/DPA