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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 913/2024**

SH. KEDAR NATH JHANBPetitioner
Through: **Ms. Anita Sahani, Adv.**

versus

SH. MANOJ KUMARRespondent
Through: **Mr. Sagar Suri, Adv.**

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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04.07.2024

1. This hearing is being conducted through hybrid mode.

CM APPL. 36753/2024 (Ex.)

2. Allowed, subject to all just exceptions.

3. The application stands disposed of.

CM APPL. 36752/2024 (For recalling of order dated 29.05.2024)

4. This application has been moved on behalf of the applicant/respondent seeking recall of the order dated 29.05.2024 passed by this Court.

5. Learned counsel for the petitioner is present on advance notice.

6. Learned counsel for the applicant/respondent has suggested that since the execution proceedings are pending before the learned Executing Court with regard to the execution of the judgment-cum-decree dated 01.08.2022, it would be appropriate that the matter may be sent to the concerned court for resolving the disputes which has arisen between the parties.

7. Learned counsel for the petitioner submits that she has no objection.



8. Learned counsel for the petitioner submits that although she is agreeable to the proposal put forth by the learned counsel for the applicant/respondent, however, she insists that let the present contempt petition be kept pending.

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9. In view of this Court, the present contempt petition itself is not maintainable since the reliefs, which are being sought, are in the nature of reliefs which emanate from the impugned judgment-cum-decree and clearly and plainly executable orders.

10. The present contempt petition is disposed of with liberty to the parties to raise appropriate issues before the learned Executing Court.

11. The order dated 29.05.2024 is hereby vacated.

12. The next date of hearing i.e., 29.09.2024 stands cancelled.

DHARMESH SHARMA, J.

JULY 04, 2024

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