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

+ **CONT.CAS(C) 804/2021**

NANCY CHAWLA

..... Petitioner

Through: Ms. Trisha, Advocate

versus

KULWANT SINGH SALUJA AND ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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16.01.2024

1. The present contempt petition has been filed alleging contempt of Order dated 04th October, 2021 passed in *CC No. 2441/2021* under the Protection of Women from Domestic violence Act, 2005, wherein the court had allowed the petitioner herein to enter into her matrimonial home.
2. By the said order dated 04th October, 2021, learned Metropolitan Magistrate ("MM") /North (Mahila Court-02) , had held that the petitioner herein was in constructive possession of her matrimonial home i.e. D-5/15, Model Town-III, Delhi-110009.
3. Ms. Trisha, learned counsel appearing for the petitioner submits that the parties are living separately and divorce proceedings are pending in the Saket Court.
4. She further submits that the mediation proceedings between the parties which were pending in the Rohini Court, have already failed.



5. Since the scope of the present contempt proceedings is limited to the non-compliance of the order dated 04th October, 2021 in *CC No. 2441/2021*, this court notes that the present contempt petition has run its course.
6. The parties are already living separately since long and divorce proceedings are pending between them.
7. The aforesaid order dated 04th October, 2021 had been passed when the petitioner was still living in her matrimonial home. Much water has flown since then, and the current situation is totally different from the situation that prevailed at the time of passing the aforesaid order.
8. In view of the aforesaid, no further orders are required to be passed in the present petition.
9. Accordingly, the present contempt petition is disposed of.

MINI PUSHKARNA, J

JANUARY 16, 2024/kr