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

+ **CONT.CAS(C) 977/2024**

HARDEEP KUMAR

.....Petitioner

Through: Mr. Bharat Bagga, Adv.

versus

NEHA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **18.07.2024**

1. This hearing is being conducted through hybrid mode.

CM APPL. 39901/2024 (For recalling of order dated 03.07.2024)

2. This application has been moved on behalf of the petitioner for recalling of the order dated 03.07.2024, whereby the petition filed by the petitioner seeking initiation of contempt proceedings against the respondent/wife, has been dismissed for non-prosecution.

3. None appeared on behalf of the respondent/wife despite sending advance notice.

4. Although, the petitioner is able to show sufficient cause for his non-appearance on 03.07.2024, however, this petition under the Contempt of Courts Act, 1971 is not maintainable since the impugned order dated 28.05.2024, which has been passed by the learned Judge, Family Court, North-West District, Rohini Courts, Delhi, is in an executable order.

5. Learned counsel for the petitioner points out that the matter is listed for hearing before the learned Judge, Family Courts, North-West



District, Rohini Courts, Delhi, on 23.07.2024.

6. There is no gainsaying that the Family Court have ample powers to enforce its directions in accordance with law. The petitioner shall be at liberty to pursue an appropriate remedy before the learned Family Court.

7. The present application is dismissed without prejudice.

DHARMESH SHARMA, J.

JULY 18, 2024

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