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

+ **CONT.CAS(C) 1028/2024**

SH. PRADEEP SODA

.....Petitioner

Through: Mr. Manish Kumar and Ms.
Trishna Kashyap, Advs.

versus

SMT MAMTA & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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08.07.2024

CM APPL. 37482/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CONT.CAS(C) 1028/2024

3. The petitioner is seeking initiation of contempt proceedings against the respondents for their failure to honour the undertaking given in terms of Memorandum of Settlement dated 28.10.2021 executed before the Delhi Mediation Centre, Tis Hazari Courts, Delhi.
4. None appeared on behalf of the respondents despite sending advance notice.
5. Evidently, the execution proceedings have been initiated by the petitioner, who is the Decree Holder and the same is coming up for hearing before the learned Executing Court on 12.07.2024. The nature of the dispute between the parties is purely a commercial transactions and there are no justifiable grounds to invoke the extraordinary as well as discretionary jurisdiction this Court under Section 12 of the



Contempt of Courts Act, 1971.

6. The petition is disposed of with liberty to the petitioner/Decree Holder to pursue their remedies before the learned Executing Court in accordance with law.

DHARMESH SHARMA, J.

JULY 8, 2024

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