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

+ **CONT.CAS(C) 1049/2024**

SUNITA & ANR.

.....Petitioners

Through: Mr. Sachin Saini and Mr.
Zahid, Advs.

versus

ICICI LOMBARD GENERAL INSURANCE CO LTD & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **10.07.2024**

CM APPL. 38234/2024 (Ex.)

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

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3. The petitioners are seeking initiation of contempt proceedings against the respondents for being in wilful disobedience of judgment dated 22.11.2023 passed by the learned Judge of this Court in an appeal under Section 173 of the Motor Vehicles Act, 1988, whereby the compensation awarded to the legal heirs had been enhanced and the respondents had been directed to make payment of the enhanced compensation with interest within six weeks of the date of passing of the said judgment.
4. None appeared on behalf of the respondents despite sending advance notice.
5. Having heard learned counsel for the petitioner, the judgment



passed by this Court is an executable order as per the procedure prescribed under the Motor Vehicle Act and the Civil Procedure Code. Each or every order that is flouted consequent to a judgment-cum-decree cannot be brought for coercive action within scope and ambit of contempt proceedings.

6. The present petition is disposed of with liberty to the petitioners to approach the concerned learned MACT in accordance with law for realization of their dues as also for seeking appropriate costs/damages for non-compliance of the directions of this Court.

DHARMESH SHARMA, J.

JULY 10, 2024

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