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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1153/2024**

SONIA SAHNI

.....Petitioner

Through: Ms. Radhika Arora, Adv.
through VC.
Petitioner in person.

versus

GAURAV SAHNI

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **26.07.2024**

CM APPL. 42159/2024 (Ex.)

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

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3. The petitioner is seeking initiation of contempt proceedings against the respondent for wilful disobedience of the Judgment dated 21.12.2023, passed by the learned Special Judge-NDPS/ASJ (South), Saket Courts, New Delhi, whereby the appeal preferred by both the parties under Section 29 of the Protection of Women from Domestic Violence Act, 2005 [**"PWDV Act"**] was decided. Suffice to state that the petitioner has been granted maintenance @ Rs. 1,00,000/- per month besides the same amount of maintenance to the child w.e.f. the date of filing of the petition till disposal of the matter pending before the learned Metropolitan Magistrate-02 (Mahila Court), South, New Delhi.
4. There is a specific direction that the amount of maintenance shall be deposited in the bank account of the petitioner by the 5th day



of each succeeding English Calendar month and it was directed that arrears would be cleared in six months.

5. No one is present for the respondent.

6. Learned counsel for the petitioner has urged that the respondent-husband is contumaciously violating the aforesaid direction and non-payment of maintenance is causing lot of hardships to the petitioner, especially in the upbringing and wellbeing of the child. While this Court appreciates the anxiety of the petitioner, I am afraid the invocation of contempt proceedings, which is otherwise maintainable, cannot be allowed since the reliefs given by the learned Appellate Court are clearly executable. Further, the learned MM concerned has ample powers under the provisions of the PWDV Act to pass appropriate coercive orders for execution and implementation of its directions.

7. At this stage, it is pointed out that an application was moved in January, 2024 since the respondent-husband had not complied with the aforesaid directions and the said application is listed before the Court on 02.08.2024.

8. In view of the above, the present petition is disposed of with directions to the concerned MM/Mahila Court to ensure that appropriate directions are passed, including necessary coercive action, if so required or warranted in accordance with law, to get the aforesaid orders executed in letter and spirit.

9. A copy of this order be sent to the concerned MM/Mahila Court for information and necessary compliance.

DHARMESH SHARMA, J.

JULY 26, 2024/sm