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

+ **CONT.CAS(C) 1349/2024**

**SH. SHUBH CHANDAN**

.....Petitioner

Through: Counsel (appearance not given)

versus

**SMT. SUSHMA**

.....Respondent

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE DHARMESH SHARMA**

**ORDER**

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**29.08.2024**

**CM APPL. 49373/2024 (Ex.)**

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

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3. The petitioner/husband is seeking initiation of contempt proceedings against the respondent/wife as she has reneged on her undertaking contained in Memorandum of Undertaking dated 25.01.2024, which undertaking had been accepted by the learned Principal Judge, Family Court, West District, Tis Hazari Courts, Delhi.
4. None appeared on behalf of the respondent despite sending advance notice.
5. It appears that the respondent after entering into a settlement vide the MoU dated 25.01.2024, although had given up her visitation rights with the child is re-asserting such rights,. It also appears that she has filed an application under Section 12 of the Protection of



Women from Domestic Violence Act which is pending before the learned MM (Mahila Court).

6. After some arguments, learned counsel for the petitioner requests that she may be allowed to withdraw the present petition with liberty to take all relevant legal objections before the pending proceedings before the learned MM (Mahila Court) in accordance with law.

7. The withdrawal of the present petition is allowed without prejudice.

**DHARMESH SHARMA, J.**

**AUGUST 29, 2024**

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