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

+ **CONT.CAS(C) 1377/2024**

REKHA BISHT

.....Petitioner

Through: Ms. Bina Madhavan , Mr.
Shantanu Raj & Ms. Lavanya
Goinka, Advs.

versus

SHANKER SINGH BISHT

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

02.09.2024

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CM APPL. 50435/2024 – EXMP.

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

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3. The petitioner/wife is seeking initiation of contempt proceedings against the respondent/husband for the wilful disobedience of the directions to the respondent/husband to ensure payment of arrears maintenance besides payment of monthwise maintenance in a time bound manner *vide* order dated 21.12.2018 passed by this Court in CRL.M.C. 3836/2015.
4. None appeared on behalf of the respondent despite sending advance notice.
5. Learned counsel for the petitioner/wife has urged that petitioner is maintaining an autistic child, who is about 15 years of age and the



respondent/husband has not been making payment of maintenance which is causing insurmountable problems in the well-being and care of the child.

6. It is pointed out that an application is already pending before the learned MM for the enforcement of the directions to recover the current amount of maintenance, as well as for arrears and the matter is coming up for hearing on 25.10.2024.

7. It is the opinion of this Court that the learned MM Court has ample powers to enforce its orders, including issuance of coercive process and imposition of costs, attachment etc.

8. In view of the fact that the child for whom maintenance is required is an autistic child, it is directed that let the hearing be preponed and the matter be taken up by the learned MM on 09.09.2024 at 11.30 A.M. and appropriate coercive attachment order be passed, directing the DDO in the office of DGP, Madhya Pradesh Police, Head quarters Indore, State of Madhya Pradesh, to attach the amount of salary in terms of the directions of the Court besides recovering the arrears from the General Provident Fund (GPF) and remit the same to the Court.

9. The aforesaid order is only illustrative in nature and the same may be suitably amended or modified by the learned MM with the direction that the same be executed through the office of the Chief, Judicial Magistrate, Indore in a time bound manner.

10. The present contempt petition is disposed of without prejudice.

11. The copy of the order be given at *dasti* under the signature of the Court Master.

DHARMESH SHARMA, J.

SEPTEMBER 2, 2024/sa