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

% **Date of decision: 10<sup>th</sup> September, 2024**

+ **CONT.CAS(C) 1441/2024**

**SHAFEENA BEGUM**

.....Petitioner

Through: Mr. A.K. Mishra, Mr. Sudhanshu Dwivedi, Mr. Arpit Mishra and Mr. Anik Srivastava, Advs. alongwith petitioner in person

versus

**RAJENDER SINGH SISODIA**

.....Respondent

Through: None.

**CORAM:**

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

**DHARMESH SHARMA, J. (ORAL)**

**CM APPL. 52849/2024 – EXMP.**

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

**CONT.CAS(C) 1441/2024**

3. The petitioner is seeking initiation of contempt proceedings for the willful disobedience on the part of the respondent/judgment debtor for not complying with the judgment dated 11.12.2014 passed by the learned Trial Court in Suit No. 18/2005, titled as **Shafeena Begum vs. Rajender Singh Sisodia & Ors.** filed under Section 6 of Specific Relief Act, 1963, and as was affirmed by this Court in CM(M) 176/2015 *vide* judgment dated 24.04.2024.



4. No one is present for the respondent despite sending advance notice.
5. Having heard the learned counsel for the petitioner, it is but apparent that the judgment dated 11.12.2014 passed by the learned Trial Court was upheld by this Court on filing of the Civil Revision No. 176/2015 *vide* order dated 24.04.2024. In fact, the SLP filed by the respondent/judgment debtor has since been dismissed by the Supreme Court *vide* order dated 09.07.2024.
6. The grievance of the petitioner is that although possession of the premises has been taken over by her from the respondent/judgment debtor, the respondent/judgment debtor has not made payment of misuse charges/mesne profits @ Rs.7,500/- per month w.e.f. 11.12.2014.
7. Without any further *ado*, the present contempt petition is not maintainable. The impugned decree as affirmed in the Civil Revision proceedings before this Court, is clearly an executive order and the appropriate remedy for the petitioner is to file execution proceedings.
8. At this stage, as requested by the learned counsel for the petitioner, the present contempt petition is dismissed as withdrawn with liberty to the petitioner/decreed-holder to approach the learned Trial Court/Executing Court for redressal of her grievances.
9. The contempt petition is disposed of accordingly.

**DHARMESH SHARMA, J.**

**SEPTEMBER 10, 2024**

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