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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1562/2024**

SIMRIDHI CHOPRA

.....Petitioner

Through: Mr. Piyush Pahuja and Ms.
Ankita Sharma, Advs.

versus

ANKUR KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.09.2024

CM APPL. 57398/2024 (Ex.)

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 order dated 12.02.2024 passed by the learned Judicial Magistrate First Class ['JMFC'] (Mahila Court), Central District, Tis Hazari Courts, Delhi, in Complaint Case No. 841/2022, whereby in proceedings under Section 23(2) of the Protection of Women from Domestic Violence Act 2005, the respondent/husband has been directed to pay an interim maintenance of Rs. 10,000/- to the petitioner/wife, and also in addition Rs. 5,000/- per month towards the rented accommodation from the date of filing of the application till disposal of the case.
4. None appeared on behalf of the respondent/husband, despite sending advance notice.



5. Learned counsel for the petitioner submits that although an execution application has been filed before the learned Court, the respondent/husband is not making the payments and the execution application is coming up for hearing sometimes in next month.

6. This Court is of the opinion that the impugned order is executable in nature and the jurisdiction under contempt should be exercised sparingly and only in exceptional cases.

7. This Court is of the view that learned JMFC (Mahila Court) is competent enough to pass appropriate coercive orders and ensure that its orders are complied with in letter and spirit.

8. In the above observations, the present contempt is dismissed without prejudice.

DHARMESH SHARMA, J.

SEPTEMBER 30, 2024

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