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

+ **CONT.CAS(C) 1623/2024**

SMT SHASHI

.....Petitioner

Through: Mr., Adv.

versus

SRI RAJEEV KUMAR

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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09.10.2024

CM APPL. 60031/2024 (Ex.)

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

CM APPL. 60032/2024 (Delay of 168 days in filing)

3. This application has been moved on behalf of the applicant/petitioner seeking condonation of delay of 168 days in filing the present contempt petition.
4. For the reasons stated in the application, the application is allowed and delay of 168 days in filing the present contempt petition is condoned.
5. The application stands disposed of.

CONT.CAS(C) 1623/2024 and CM APPL. 60029/2024 (Stay) and CM APPL. 60030/2024 (seeking permission to deposit maintenance amount)

6. The petitioner is seeking initiation of contempt proceedings against the respondent for the wilful disobedience of the directions contained in the order dated 13.02.2019, passed by the learned



Principal Judge, Family Court, South East District, Saket Court, Delhi, whereby an interim compensation of Rs. 5,000/- per month to the minor daughter of the parties was awarded, from the date of filing of the application till disposal.

7. It is submitted by learned counsel for the petitioner that respondent/husband has not been making payment of the maintenance amount regularly and there are huge arrears which have piled up.

8. The impugned order dated 13.02.2019 passed by the learned Principal Judge Family Court is an executable order. Although this petition is maintainable, this Court is not inclined to exercise its jurisdiction under the present contempt proceedings, since such jurisdiction should be used sparingly and in exceptional cases.

9. The petitioner has an appropriate remedy which is to approach the learned Principal Judge, Family Court and seek execution of the directions passed by the Court.

10. Accordingly, the present petition is dismissed without prejudice. All the pending applications also stand disposed of.

DHARMESH SHARMA, J.

OCTOBER 09, 2024

sp/SS