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

+ **CONT.CAS(C) 1735/2023 CM APPL. 21372/2024**

UDITI WADHWA SURI

.....Petitioner

Through: Mohd. Faiz, Adv. (through VC)

versus

ABHISHEK SURI & ORS.

.....Respondents

Through: Mr. Rahul Kumar/R-1.

Ms. Bahuli Sharma, Ms. Amrita
Jhamb, Advs. for R-2 to R-4.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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07.05.2025

1. This petition has been filed alleging wilful disobedience of order dated 18th October 2023 passed by the MM (Mahila Court), South-East, Saket Court in ***Ct. Case 2165 of 2023.***
2. However, it is noted from the records and reply filed by respondent nos.2-4 that the said was stayed by order dated 21st October 2023 which forms part of ***Annexure P-6*** of the petition. Despite this, the petition was moved.
3. Additionally, from the reply of respondent nos.2-4, it is also noted that a Judgment dated 13th December 2023 was passed by the ASJ finally restraining the petitioner/wife *in toto* from entering or staying in the shared household/premise at N-26, GK-1, New Delhi and other directions were also passed.



4. Yet another order was passed by this Court on 19th March 2024 in ***CRL.MC.1415/2024*** where a consent order was passed recording the consent of the parties relating to the suitable accommodation as well.
5. *Mr. Mohd. Faiz*, counsel for petitioner effectively states that even despite the stay being granted subsequently on 21st October 2023, he has been pressing for contempt in the period from 18th October 2023 to 21st October 2023.
6. In the opinion of this Court, this kind of assertion is unmerited and is disproportionate.
7. In any case, the contempt is between the Court and respondent and the Court does not see any necessity of passing coercive orders in this regard; Contempt Petition cannot subsist.
8. Accordingly, the petition is disposed of.
9. Liberty is given to counsel for petitioner to revive the petition in case there is any continued infraction.
10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 7, 2025/ak/na