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

\# **CNR No. DLHC010527492026**

\+ CONT.CAS(C) 2018/2026

RUBY .....Petitioner

Through: Ms. Harshita Singal and Ms. Kirti Pamar, Advocates.

versus

MUKESH KUMAR .....Respondent

Through: None

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% 02.11.2026

CM APPL. 75844/2026 (Exemption) & CM APPL. 75845/2026 (Exemption)

1. Exemption allowed, subject to all just exceptions.

2. The Applications stand disposed of.

CONT.CAS(C) 2018/2026

3. Contempt Petition under Sections 10 and 12 of the Contempt of Courts Act and under Article 215 of the Constitution of India, has been filed on behalf of the Petitioner for violation of the Order dated 07.05.2025 of the learned Principal Judge, Family Court whereby the interim maintenance in the sum of Rs.6,100/- per month from the date of filing of the Petition till the disposal of the main Petition to the Petitioner, has not been complied.

4. It is submitted that the Respondent despite the Judgment, has failed to comply with the same. Two Execution Petitions have been filed. Even the

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Warrants of Attachment for the motorcycle, which the Petitioner came to know was owned by him, was issued but it has been returned unexecuted.

5. The Respondent is not appearing in the Execution proceedings. Therefore, the present Contempt Petition has been filed.

6. From the perusal of the Contempt and the submissions made therein, it emerges that it is a decree of Interim Maintenance, which is sought to be executed, through the Contempt Petition. Once, the appropriate remedy of execution has already been availed by the Petitioner, there is nothing to show that the non-compliance of the Order, is willful and contumacious attracting the contempt proceedings.

7. It is also pertinent to note that in the Order itself, it was stated that the Respondent was working as a vegetable vendor earning Rs.8,000/- per month (having a *rehari* and earning about Rs.8,000/- per month).

8. Considering the totality of circumstances, it cannot be said at this stage that there is any willful contumacious violation of the decree/Order of the Court.

9. There is no merit in the present Petition, which is disposed of with liberty to the Petitioner to pursue the appropriate remedy, in accordance with law.

NEENA BANSAL KRISHNA, J

NOVEMBER 2, 2026/RS

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