



\$~44

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 11/2023 CM APPL. 62991/2023 CM APPL.
7280/2024 CM APPL. 46739/2024 CM APPL. 68962/2024 CM
APPL. 1163/2025 CM APPL. 3257/2025 CM APPL. 29032/2025

MRS. NEETU GAUR

.....Petitioner

Through: Mr. C.S. Rathor, & Mr. Vikas K
Chadha, Advs. with petitioner in
person

versus

SHRI SANJEEV KUMAR VASHIST

.....Respondent

Through: Respondent in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

17.07.2025

%

CM APPL.42191/2025

1. This application has been filed by the respondent seeking a decision on the maintainability of this Contempt Petition. The basic argument of respondent is that since execution proceedings are pending, wherein he has filed objections against the maintenance order passed against him, pendency of Contempt Petition will amount to *double jeopardy* to him. He has relied on various decisions of this Court as also of the Supreme Court in support of his application.

2. Copy of the application along with attendant documents be supplied to the counsel for petitioner during the course of the day, in order that they are able to peruse the same and file a response thereto within the next 6 weeks



along with citations, if any.

3. Aside from this, as per counsel for petitioner, an amount of *Rs.4.30 lakhs* is pending in arrears towards maintenance, which was accorded to the petitioner at rate of *Rs.15,000/-* per month with effect from 10th April 2019.

4. As per the respondent, however, he has paid an amount of *Rs.3.30 lakhs* on directions of this Court, on 20th January 2025. He states that as per his calculation sheet, the amount which is pending is *Rs.3,75,400/-*, however, he states that it is subject to his objections being decided by the Executing Court.

5. The Executing Court is taking up the matter on 19th August 2025. Respondent himself points out to the order dated 14th August 2024, wherein this Court stated as under:

5. Since the learned Family Court has ample powers to pass appropriate directions including issuance of coercive process for recovery of arrears of maintenance, it is directed that the learned Family Court may pass appropriate directions for recovery of arrears of maintenance in accordance with law. It is made clear that pendency of contempt petition before this Court shall not come in the way of the learned Family Court to pass appropriate directions.

6. Accordingly, the said directions are reiterated. The Executing Court will proceed ahead irrespective of pendency of these contempt proceedings before this Court and shall exercise all its powers in execution against the respondent for recovery of the amounts which are due to petitioner, in accordance with law.

7. List on 30th October 2025.

8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 17, 2025/sm/tk