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

+ **CONT.CAS(C) 640/2023**

MANISH KUMAR SINGH

..... Petitioner

Through: Mr. Jatin & Ms. Urvashi Bhatia,
Advocates for Petitioner

versus

ANITA

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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17.05.2023

CM APPL. 24808/2023 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

CONT.CAS(C) 640/2023

1. This petition has been filed stating that the parties have executed a settlement agreement dated 18.01.2018 before the Delhi High Court Mediation and Conciliation Centre, whereunder the parties had agreed to file a petition for a decree of divorce by mutual consent as well as for quashing of FIR no. 270/2011.

2. The learned counsel for the Petitioner states that in terms of the said settlement agreement, the Petitioner herein had agreed to pay a sum of Rs. 17.5 lakhs to the Respondent in three (3) installments. He states that first installment of Rs. 5 lakhs and second installment of Rs. 6.5 lakhs have been



paid to the Respondent and a decree of divorce has been granted.

3. He states that last and final installment of Rs. 6 lakhs are payable at the time of the quashing of the FIR No. 270/2011.

4. He states that the quashing petition has been filed before this Court and the next date is 04.08.2023. He states that however, the Respondent herein has not been appearing in the said proceedings.

5. He states that Petitioner remains ready and willing to pay the balance amount of Rs. 6 lakhs to the Respondent. He states that non-appearance of the Respondent is deliberate inasmuch as she is prosecuting the proceedings filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005 ('DV Act'), and is willfully absenting herself from appearing before the High Court.

6. An advance copy of this petition was served to the Respondent; however, none appears on behalf of the Respondent.

7. This Court has perused the petition and considered the averments of the learned counsel for the Petitioner. This Court is of the *prima facie* view that the Respondent is in contempt of Court.

8. Upon steps being taken by the Petitioner, issue notice to the Respondent through all modes including electronically and in addition, through the counsel representing the Respondent before the Trial Court.

9. List on 14.07.2023.

MANMEET PRITAM SINGH ARORA, J

MAY 17, 2023/rk/aa