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

+ **CONT.CAS(C) 699/2019**

PUSHPA GUGLANI

..... Petitioner

Through: Ms. Prabhsahay Kaur, amicus curiae
with petitioner in person.

versus

AMIT GUGLANI

..... Respondent

Through: Respondent in person.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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11.11.2022

1. The present petition alleges wilful disobedience of the directions contained in the judgment/order dated 24.07.2017 passed by learned Principal Judge, (East), Family Courts, Karkardooma, Delhi in Execution Petition No. 610/2014, including the directions contained in the order dated 29.08.2018, passed by the Hon'ble Supreme Court in Criminal Appeal Nos. 1090-1092 of 2018, regarding payment of maintenance and penalty by the respondent to the petitioner.
2. It is submitted by learned Amicus Curiae, Ms. Prabhsahay Kaur, Advocate, on instructions from the petitioner, who is present in person, that the arrears of maintenance and penalty thereon, payable by the respondent to the petitioner is to the tune of ₹4,50,000/-.
3. The conduct of the respondent in not obeying the orders regarding payment of maintenance to the petitioner, and his conduct during the course



of these proceedings, betrays scant regard for the due process of law, and the order/s passed by the Court.

4. The respondent, who appears in person, concedes that there are significant arrears of maintenance/penalty amount payable by him to the petitioner although he disputes that arrears are to the tune of ₹4,50,000/-. According to him, the arrears would be around ₹2,50,000/-. The petitioner submits that she is in acute financial distress on account of wilful disobedience/non-compliance by the respondent of subsisting orders regarding payment of maintenance.

5. The flagrant breach and disregard of the orders passed by this Court on part of the respondent is also evident from his conduct in submitting to this court on 22.08.2022, that he was hospitalized on that day in Sir Ganga Hospital, Rajinder Nagar, New Delhi. It transpired subsequently, upon the requisite information being given by the Medical Director of the concerned hospital during the hearing on 09.11.2022, that in fact, the respondent was not hospitalized on 22.08.2022 and the aforesaid submission made on behalf of the respondent, was blatantly false. The tendency of the respondent to evade the due process of law is also evident from the fact that even thereafter, on 05.09.2022, there was no appearance on behalf of the respondent. Resultantly, this court was constrained to issue bailable warrants against the respondent. It is evident that the respondent has sought to avoid compliance with subsisting orders regarding payment of maintenance to the petitioner and to this end, has indulged in most depreciable conduct to delay/subvert these proceedings, including making false statement/s before this court.

6. In the aforesaid background, the respondent is held guilty of having



committed contempt of court under Section 2(b) read with Section 11 and Section 12 of the Contempt of Courts Act, 1971.

7. List for order on sentencing on 29.11.2022.

8. The respondent is directed to remain personally present in Court on the next date of hearing.

9. The respondent is at liberty to purge his contempt and pay the requisite amount to the petitioner, which shall be taken into account at the time of sentencing. The respondent is also at liberty to avail legal assistance from the Delhi High Court Legal Services Committee, Delhi High Court, New Delhi

SACHIN DATTA, J

NOVEMBER 11, 2022/ssc