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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 2st July, 2026

Uploaded on: 3rd July, 2026

+ CONT.APP.(C) 14/2026 and CM APPL. 40041/2026

.....Appellant

Through: Mr. Manish Kinha, Advocate.

versus

.....Respondents

Through: Mr. Prithish Sabharwal, Advocate for
R-2 and R-3 (M. 9871878690).

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 40042/2026 (for exemption)

2. Allowed subject to all just exceptions. Application is disposed of.

CONT.APP.(C) 14/2026 and CM APPL. 40041/2026 (for stay)

3. The present appeal has been filed by the Appellant under Section 19 of the Contempt of Courts Act, 1971, *inter alia*, assailing the impugned orders dated 27th April, 2026 and 18th May, 2026 passed by the Ld. Single Judge in *Contempt Case No. 1226/2025* title [REDACTED]

4. A brief background of the present case is that, the marriage was solemnised between the Appellant and Respondent No.1 on 15th February, 2004. Thereafter, a male child was born from the wedlock.



5. Disputes had arisen between the parties. Sometime in November, 2021, Respondent No.1 had filed a petition for maintenance under Section 125 of the Code of Criminal procedure, 1973 being **MT No. 438/2021**.

6. The Family Court had passed the order dated 20th July, 2024, wherein the Court had directed that a sum of Rs. 25,000/- per month would be paid to Respondent No.1 and Rs. 25,000/- per month would be paid to the minor child, from the date of filing of application till the disposal of the petition. The said order dated 20th July, 2024 reads as under:

“[...]

The respondent is directed to pay a sum of Rs. 25,000/- per month to petitioner no.1 and Rs. 25,000/- for minor child i.e, total Rs. 50,000/- per month from the date of filing of the application till disposal of the petition.

Additionally, respondent is also directed to bear school fees and other educational expenses of the minor child every year, details of which will be shared by Petitioner no.1. Aforesaid amount would be transferred by 7th of each English calendar month, directly in the bank account of the petitioner no. 1. The respondent is also directed to clear the arrears accrued to date within three months in equal monthly installments. The default shall be viewed in terms of Gaurav Sondhi v. Diya Sondhi 120 (2005) DLT 426....”

7. Pursuant thereto, as per the Respondent No.1, the Appellant was in violation of the order dated 20th July, 2024, as he had not paid the requisite maintenance amounts. This led to filing of the **Contempt Case No. 1226/2025** titled [REDACTED] by the Respondents.



8. In *Contempt Case No. 1226/2025*, vide the impugned order dated 27th April 2026, after hearing the Appellant, who had appeared through video conferencing, the Court had observed as under:

“[...]

2. As noticed, vide order dated 20.07.2024, the respondent was directed to pay Rs.50,000/- per month to the petitioners (25,000/- each to the wife and the child along with school fee and education expenses).

3. Despite the aforesaid directions, the respondent has failed to make any payment whatsoever from September, 2024 onwards and did not even clear the arrears within the stipulated time.

4. It is pointed out that the respondent initially challenged the aforesaid order dated 20.07.2024 through a Revision Petition, but subsequently, withdrew the same. It is also noticed that in a connected proceedings i.e., CRL REV.P(MAT) 96/2024 (preferred by the petitioner) a coordinate Bench of this Court vide an order dated 18.11.2024 also directed respondent to comply with the directions passed by the Family Court in order dated 20.07.2024.

5. Learned counsel on behalf of the petitioner submits that the respondent has deliberately disobeyed the order passed by this Court. The petitioner initiated certain execution proceedings and a partial recovery was made to the tune of Rs.3.5 lakhs (approx.) through attachment of respondent's bank account.

6. The respondent joined the proceedings held on 24.04.2026. At his request, the matter was adjourned and has been taken up today. Admittedly, the respondent is employed in Dubai, UAE. He is unable to give any cogent explanation for not paying any



amount whatsoever to the petitioner after September, 2024. In response to a query of the Court that at least he should pay an ad-hoc amount to the petitioner, he is evasive.

7. In the circumstances, it is quite evident that the respondent is in wilful disobedience of the aforesaid directions contained in the order dated 20.07.2024 passed by the Family Court. Accordingly, he is held guilty of having committed 'contempt' as defined under Section 10 of the Contempt of Courts Act, 1971.

8. List for orders on sentencing on 18.05.2026 in the category of "Supplementary Matters".

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

10. As the respondent is presently in Dubai, let the copy of this order be served to the respondent through the Consulate General of India, Dubai, UAE."

9. In terms of the above order, Ld. Single Judge notes that the Appellant had failed to make the payment towards maintenance, from September 2024 onwards, and even the arrears had not been cleared. Further, the Appellant had also filed a Revision Petition and had withdrawn the same.

10. The Ld. Single Judge also notes that in **CRL.REV.P.(MAT.)96/2024** vide order dated 18th November, 2024, a Ld. Single Judge had also directed the Appellant to comply with the directions given by the Family Court.

11. Further, vide the impugned order dated 27th April, 2026, the Court had also felt that there was deliberate disobedience of the order dated 20th July, 2024 passed by the Family Court, and noted that the Appellant is admittedly residing in Dubai, UAE. It was also noted that he had joined the proceedings



through video conferencing, and was unable to give any explanation as to why the maintenance amount was not being paid.

12. After hearing the Appellant, Ld. Single Judge held that the Appellant is guilty under Section 10 of the Contempt of Courts Act, 1971 and directed him to be present on the next date of hearing.

13. On 18th May, 2026, the Appellant was duly represented through Ld. Counsel, and he was also present through video conferencing. He refused to comply with the order of being physically present, and also no payments were also made.

14. Under these circumstances, *vide* the impugned order dated 18th May, 2026, the Court directed as under:

*“1. Vide order dated 27.04.2026 passed in the present proceedings, the respondent was held guilty of having committed contempt of Courts as defined under Section 10 of the Contempt of Courts Act, 1971. The respondent [REDACTED] was also directed to remain present in Court today. **However, neither is the respondent physically present in Court nor has he made any payment whatsoever to the petitioners in compliance with the extant judicial orders regarding payment of interim maintenance to the petitioners.***

*2. **The respondent continues to be steadfast in refusing to pay even a portion of the maintenance amount as directed vide order dated 20.07.2024 by Family Court, South East, Saket, Delhi in MT No.438/2021. However, learned counsel for the respondent submits that the arrangements shall be made for requisite funds only if the petitioner agrees upon an omnibus settlement.** Such a stand, again, reflects negatively upon the bonafides of the respondents.*



3. Since the arguments on sentencing are required to be heard, list on 09.07.2026.

4. Considering the aforesaid circumstances, and the fact that it is imperative for the respondent [REDACTED] to be present in Court to undergo any sentence that may be awarded by the Court, he is directed to remain physically present in Court on the next date of hearing. However, as the respondent [REDACTED] is presently residing in Dubai, UAE and has openly refused to comply with the order requiring his physical presence before this Court on the next date of hearing, let appropriate steps be taken to impound / suspend the passport of the respondent [REDACTED]

5. In the above conspectus, the Bureau of Immigration is impleaded as the respondent no.2; the Consulate General of India, Dubai, UAE (through Ministry of External Affairs) is impleaded as the respondent no.3 in the present petition.

6. Issue Notice to the newly impleaded respondent nos.2 and 3 through all permissible modes, including electronically.

7. Let an amended memo of parties be filed by the petitioner within a period of one week from today.

8. Respondent no.2/Bureau of Immigration is directed to take appropriate steps for impounding/suspending passport of the respondent no.1 [REDACTED]. The petitioner would be at liberty to serve a copy of this order to the respondent no.2/Bureau of Immigration.

9. The respondent no.3 shall also make efforts to ensure the presence of the respondent no.1 [REDACTED] in Court on the next date of hearing, and will also notify the authorities in UAE of these proceedings.”



15. As per the above impugned order, the Respondent was steadfastly refusing to pay even a portion of the maintenance amount. It was categorically submitted that the Respondent is only willing for an overall settlement. According to the Ld. Single judge, this was clear contempt and since the Respondent refused to physically appear before the Court, directions to impound the passport of the Respondent were passed. The Bureau of Immigration was accordingly impleaded.

16. During the summer vacation, the Appellant filed a **Contempt Appeal (C) 12/2026** title [REDACTED] [REDACTED] challenging the impugned order dated 18th May 2026. However, the same was withdrawn with liberty to seek appropriate remedies. In this regard, the order dated 5th June, 2026 in **Contempt Appeal (C) 12/2026** reads as under:

“[...]

2. After some arguments, learned counsel for the appellant seeks to withdraw the present appeal, with liberty to seek appropriate remedies in accordance with law, if as and when required.

3. The present appeal is dismissed as withdrawn with liberty as prayed for.

4. The application is disposed of.

17. The present appeal has now been filed against the same impugned order dated *i.e.*, 18th May, 2026, as also the order dated 27th April, 2026.

18. The Appellant's counsel appears through video conferencing, and upon being questioned, as to whether any amount has been paid in terms of the



order dated 20th July, 2024 passed by the Family Court, the answer is clearly in the negative.

19. No amount has been paid by the Appellant. The only submission made by the Ld. Counsel for the Appellant is that the Appellant is willing to pay a lumpsum of Rs. 40 lakhs to finally settle the disputes with Respondent No.1. However, she is demanding a higher amount.

20. Insofar as the overall settlement is concerned, this Court is of the view that it is between the Appellant and the Respondent to try and amicably resolve their disputes.

21. However, in the meantime, the Appellant cannot wilfully continue to disobey the order passed by the Family Court and refuse to pay maintenance to the wife and the child.

22. The impugned orders dated 27th April, 2026 and 18th May, 2026 passed by the Ld. Single Judge are completely valid and tenable, and require no interference.

23. Accordingly, the present appeal is dismissed. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

JULY 2, 2026/dss/sm