

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s) . 16989/2020

(Arising out of impugned final judgment and order dated 30-08-2019 in CCC No. 762/2019 passed by the High Court of Kerala at Ernakulam)

HARPREET KAUR ANAND

Petitioner(s)

VERSUS

MATHEW JOSEPH & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.83785/2020-CONDONATION OF DELAY IN FILING and IA No.83789/2020-PERSONAL HEARING BEFORE THE COURT and IA No.83784/2020-PERMISSION TO APPEAR AND ARGUE IN PERSON and IA No.83786/2020-APPROPRIATE ORDERS/DIRECTIONS)

Date : 13-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s)

Petitioner-in-person

For Respondent(s)

UPON hearing the petitioner-in-person
the Court made the following
O R D E R

Delay in filing the special leave petition is
condoned.

Grievance in the special leave petition is essentially
about the non-compliance of further directions issued by the
High Court in terms of order dated 30.08.2019. The same
reads thus:

"4....It is also made clear that in future, the amount payable to her as monthly maintenance and rent arrears shall be remitted on or before 26th of succeeding month, failing which the amount will carry 6% interest from the each date of default."

If this is the grievance, the appropriate remedy for the petitioner is to approach the High Court in the first instance, bringing it to the notice of the High Court that default has been committed by the respondent and to seek appropriate directions including initiation of contempt action against the respondent.

Accordingly, we dispose of the special leave petition with liberty to the petitioner to approach the High Court by way of appropriate application/petition seeking necessary directions, as may be advised. The High Court may consider that petition/application on its own merits in accordance with law.

That proceedings be disposed of expeditiously, preferably within one month from the date of institution, considering the fact that the grievance is about non-payment of monthly maintenance amount receivable by the petitioner.

The special leave petition stands disposed of.

Pending applications stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(VIDYA NEGI)
COURT MASTER (NSH)