

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 226 of 2016

1. Saraswati Gabel W/o Late Shri Dekraj Singh, aged about 32 years R/o Village & Post Arjuni, P. S. & Tehsil Sakti, Revenue & Civil District Janjgir Champa (Chhattisgarh).....

---- Petitioner/Respondent

Versus

1. Tumedhawaj Singh S/o Late Shri Shyam Singh, Aged About 52 Years.
2. Bharat Gabel, S/o Late Shri Shyam Singh, Aged About 50 Years.
3. Arun Gabel, S/o Late Shri Shyam Singh, Aged About 46 Years.
4. Chanda Bai, W/o Late Shri Shyam Singh, Aged About 72 Years.

All the above are Gabel by caste, R/o Village & Post Arjuni, P. S. & Tehsil Sakti, Revenue & Civil District Janjgir Champa (CG)

---- Respondents/ Contemnors /Appellants

For Petitioner	:	Shri Sarfaraj Khan, Advocate
For Respondents	:	Shri Sunil Otwani, Advocate.
		The petitioner, respondent No.4 and minor child Pushpraj are present in person

Hon'ble Shri Justice Pritinker Diwaker
Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

30/11/2016

1. Invoking jurisdiction of this Court under Article 215 of the Constitution of India read with Section 12 of the Contempt of Courts Act, 1971, this contempt petition has been filed by the petitioner alleging wilful disobedience of the order dated 12.2.2016 & 12.4.2016 passed by the coordinate Division Bench in FAM No.153/2015.
2. At the outset, Shri Otwani, counsel for the respondents submits that the order dated 12.2.2016 has already been modified on 4.8.2016 and in compliance thereof the minor child has been produced by the respondents before the Mediation Centre of the High Court. He further submits that in

future also the respondents would be very careful in complying the order dated 4.8.2016 in its true spirit.

3. Respondent No.4, present in person, also undertakes to comply with the order dated 4.8.2016 in its letter and spirit.
4. In view of above, this Court is of the considered opinion that no contempt is made out warranting an action against the respondents.
5. Accordingly, the contempt proceeding against the respondents is hereby dropped. However, the parties are expected to strictly comply the order dated 4.8.2016 in its true letter and spirit, in the welfare of minor child.

Sd/-
(Pritinker Diwaker)
Judge

Sd/-
(RCS Samant)
Judge

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