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

+ **W.P.(CRL) 3001/2015**

NAVKESH CHAWLA

..... Petitioner

Through : Mr. Rahul Tewari, Advocate along
with petitioner in person.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondent

Through : Mr. Rahul Mehra, Standing Counsel
(Crl.) with Mr. Amrit Singh and
Mr. Aditya Swaroop Aggarwal,
Advocates and Inspector Swadesh
Parkash, SHO, PS – Barakhamba
Road.

Ms. Seema Tiwari, Advocate for R-4
along with R-4 in person.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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19.01.2016

Counsel for the petitioner had submitted on the last date of hearing that wife of the petitioner had left her matrimonial home along with their 10 years old daughter and 1½ year old son without informing him about their whereabouts and she is also not residing with her parents.

Respondent no. 4 had appeared and submitted that she had left her matrimonial home out of her own free will due to a matrimonial discord.

Respondent no. 4 is present along with the children. She again reiterated her statement that she does not want to reside with the petitioner.

Counsel for the petitioner submits that he would take recourse of such

remedy as may be available to him in accordance with law. Meanwhile the petitioner may be allowed to meet the children. Respondent no. 4 submits that she would have no objection if the petitioner meets the children once in every 15 days on Sunday between 3 p.m. to 6 p.m. at D-68, Top Floor, Mahavir Enclave, Pratham Apartment, Street No. 4, Palam, Dwarka, New Delhi-110045. Respondent no. 4 also submits that in case there is any change of address, the same will be informed to the petitioner.

It is agreed that the birthday of Master Nadiv shall be celebrated by the entire family. The petitioner will pick up his wife and children at 2 p.m. from the place where the wife is residing and will drop them back at 6 p.m.

It is made clear that this is an interim arrangement till appropriate orders are passed by the Family Court. It is also agreed that till the issue of guardianship is decided, the petitioner will not remove the children from the custody of his wife. The petition stands disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JANUARY 19, 2016

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