

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.C.No.1381 OF 2016

ORDER

This contempt case is filed alleging non-implementation of the order dated 6.3.2015 passed in C.R.P.No.4502 of 2014.

The said civil revision petition arose out of the order passed in I.A.No.150 of 2014 in G&W.O.P.No.51 of 2013 on the file of the Judge, Family Court-cum-Additional District & Sessions Judge, Nalgonda. In the said IA, the learned Judge of the Family Court permitted the petitioner to visit the school where the boy is studying in between school hours once in a week and also permitted him to visit the residence of the boy on every Saturday and Sunday in the presence of the respondent to see the welfare and safety of the boy. The main petition viz., G&W.O.P. is pending consideration before the lower Court. After hearing both the counsel, this Court passed common order dated 6.3.2015 in CRP Nos.4502 of 2014 & 632 of 2015, modifying the order passed in the said I.A. by directing the petitioner therein to permit the respondent therein to visit her residence and produce the boy Master Md.Mutasim Musad between 5.00 P.M to 6.00 P.M on every Saturday and Sunday for the purpose of looking after the welfare and safety of the boy. Alleging non-implementation of the said order, the present contempt case is filed.

The petitioner is residing in Hyderabad whereas the respondent and the boy are residing in Nalgonda. Due to divorce

proceedings, there appears to be differences between the parties. At the time of divorce, the minor was aged about 9 months. In those circumstances, the boy is not in a position to recognize his father in spite of his best efforts made by the petitioner to approach the boy. The petitioner, who appeared in person, before this Court submits that uncle of the boy is preventing him from approaching the boy.

Learned counsel appearing for the respondent submits that he would instruct his client to implement the order of this Court and see that no obstruction is caused in implementing the said order.

If any modification is required, it is open to the parties to approach the concerned Court where the main OP is pending for appropriate orders. The learned Judge, Family Court-cum-Additional District & Sessions Judge, Nalgonda, shall consider the application of the parties and pass suitable orders in accordance with law as the scope of the present contempt proceedings are limited.

Accordingly, the Contempt Case is disposed of.

JUSTICE A.RAMALINGESWARA RAO

31st January, 2017
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