

\$~2

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

+ W.P.(CRL) 1494/2017

AMBRISH JAIN

..... Petitioner

Through Mr. Karan S. Thukral & Mr. Rohit
Yadav, Advocates along with
petitioner in person.

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Through Mr. Rahul Mehra, Standing Counsel
(Crl.) for State.
Inspector Rang Lal, P.S. Mehrauli,
Mr. Sanjay Kumar Mishra, Advocate
for Ms. Pradeepti Pathak, respondent
No. 3 in person with her minor
children.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

%

13.10.2017

Ms. Pradeepti Pathak, the respondent No. 3 is present along with her minor children, namely, Utkarsh Jain and Daksh Jain, in terms of the directions issued by this Court by way of the order dated 15th September, 2017. The petitioner, Mr. Ambrish Jain, who is the father of Utkarsh Jain and Daksh Jain, the minor children has interacted with them for over two and a half hours in the Mediation Centre of the Delhi High Court today.

Learned counsel appearing on behalf of the parties (the separated couple), Mr. Ambrish Jain and Ms. Pradeepti Pathak, on instructions state that the latter are desirous for trying to arrive at an amicable resolution of their marital dispute, with the aid and assistance of a mediator.

In this view of the matter, at this juncture, learned counsel appearing on behalf of the petitioner seeks leave to withdraw this petition with liberty, if so advised, to institute appropriate proceedings, including proceedings under the Guardians and Wards Act, 1890, in accordance with law; with the objective of resolving the matrimonial dispute as well as the issue of custody of the said minor children.

Leave and liberty granted.

The parties are referred to the Delhi High Court Mediation and Conciliation Centre for reconciliation of their matrimonial dispute. In the first instance, the parties are directed to appear before the Mediator on 18th November, 2017. The separated couple shall remain present before the Mediator on every subsequent date fixed by the Mediator for the said purpose, subject however to Mr. Ambrish Jain undertaking to reimburse the actual expenses incurred by Ms. Pradeepti Pathak on her travel to and from Agra, where she resides; for the purpose of the mediation. The Mediation Centre shall appoint a seasoned Mediator to assist the parties in arriving at an amicable resolution of their outstanding disputes.

In the best interests of the minor children, Mr. Ambrish Jain is also permitted to meet Utkarsh Jain and Daksh Jain at a public place to be mutually decided between the parties (i) tomorrow, i.e. 14th October, 2017

between 5:00 p.m. to 8:00 p.m; and (ii) on Sunday i.e. 15th October, 2017 between 10:00 a.m. to 2:00 p.m.

With the above directions, the writ petition is disposed off, as withdrawn, with liberty as prayed for.

Copy of this order be given dasti under the signature of Court Master to learned counsel for the parties.

SIDDHARTH MRIDUL, J

NAJMI WAZIRI, J

OCTOBER 13, 2017

rs