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

+ CM(M) 1083/2017

RITU TANEJA

..... Petitioner

Through: Ms. Aakriti Dawar, Adv.

Versus

VINEET TANEJA

..... Respondent

Through: Respondent-in-person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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26.09.2017

Caveat No.845/2017

1. The caveator / respondent appears in person.
2. The caveat stands discharged.

CM Nos.35443-44/2017 (both for exemptions)

3. Allowed, subject to just exceptions.
4. The applications are disposed of.

CM(M) 1083/2017 & CM No.35442/2017 (for stay)

5. This petition under Article 227 of the Constitution of India impugns the order [dated 4th September, 2017 in G.No.48/2012 of the Court of Principal Judge (South), Family Courts, Saket Courts, New Delhi] making arrangements for the visitation rights conferred by other orders (which are not under challenge) on the occasion of Dussehra i.e. 30th September, 2017.
6. The counsel for the petitioner / mother has raised a number of arguments but which amount to finding error with the order granting visitation rights to the respondent / father and which order is admittedly not under challenge.
7. The counsel for the petitioner / mother has then urged two other arguments.

8. Firstly, it is urged that a Commissioner be appointed to accompany the child when the child visits the father and the second contention is that the respondent / father be directed to furnish his residential address.

9. With respect to the first of the aforesaid arguments, it is stated that the petitioner / mother would be satisfied even if the maid accompanies the minor girl child during her outings with the respondent / father.

10. The respondent / father appearing in person, on enquiry informs i) that he is working as Deputy General Manager with the Energy Efficiency Services Ltd., a Government of India undertaking, under the Ministry of Power and has his office at Sector-1, IWAI Building, Noida; ii) that though earlier he had been allotted official accommodation at Vipul Khand, Lucknow where he was earlier posted but now he is posted at Noida; iii) that he is presently residing with his sister Ms. Seema Gautam working as Manager, Airports Authority of India and her husband Mr. Sanjeev Gautam working as Superintendent with Central Excise and Customs at J-171, Sarita Vihar, New Delhi; iv) that his sister also has children about the age of his minor daughter; v) that he has in compliance of the impugned order, already deposited his original passport and ID card with the Family Court; and vi) the cell phone number of the respondent / father is 9810378852.

11. I have proposed to the respondent / father that the respondent / father, on 30th September, 2017, during the time the child is with him, takes the child to his sister's house rather than anywhere else.

12. The respondent / father is agreeable.

13. I have enquired from the counsel for the petitioner / mother, whether the particulars given as aforesaid by the respondent / father are correct.
14. The counsel for the petitioner / mother has states that the petitioner / mother does not know where the sister of the respondent / father resides.
15. The aforesaid sounds strange inasmuch as the petitioner / mother should have known at least these facts and the same does not reflect well on the petitioner / mother.
16. This petition is disposed of with the following directions:
- (i) that the respondent / father to, on or before 30th September, 2017, supply to the counsel for the petitioner / mother, under his signatures, photocopies of ID cards of his aforesaid sister and sister's husband and proof of their residence at the address given/ stated herein above; and,
 - (ii) that the respondent / father to, on 30th September, 2017, take the child to his sister's residence only rather than anywhere else.
17. Else, there is no need for interference with the impugned order.
- No costs.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 26, 2017

‘gsr’..