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

+ **CONT. CAS (C) 247/2020, CM No.10677-79/2020**

CHAITALI GUPTA Petitioner

Through: Ms. Kinnori Ghosh, Adv.

Versus

NARAYAN DAS Respondent

Through: Mr. Ankit Aggarwal, Adv.

CORAM:
HON'BLE MR. JUSTICE REKHA PALLI

% **ORDER**
08.05.2020

1. This petition has been taken up for hearing through video conferencing.
2. The present contempt petition has been filed by the petitioner alleging therein that the respondent is in violation of order dated 15.01.2020 passed in WP (Crl.) 3546/2019 which was disposed of, on the basis of the settlement recorded before Delhi High Court Mediation and Conciliation Centre on 04.01.2020.
3. Learned counsel for the petitioner submits that as per the terms of the settlement, the respondent was bound to permit the petitioner to meet Master Rudra Das, who is the son of the respondent and pre-deceased sister of the petitioner. Despite his undertaking before the Court the respondent is neither permitting the petitioner to speak to

the child nor his welfare is being communicated to the petitioner and in fact the respondent has blocked the phone number of the petitioner itself. She further submits that as per the petitioner's information the child is not attending classes in Kalka Public School, where he was studying, clearly showing that the respondent is not taking care of his educational needs.

4. Mr. Aggarwal, who appears on behalf of the respondent, while submitting that the respondent has not violated any of the terms of the settlement, assures the Court that the respondent will duly abide by the terms of the settlement as recorded in the order dated 15.01.2020. He further submits that the child is very much attending the online classes in Vivekanand International School, I.P. Extension where he has now taken admission as the said school is in the vicinity of the respondent's residence. He further submits that the respondent has no objection to permit the petitioner to speak to the child on mobile phone and therefore states that as and when the petitioner wishes to interact with the child, a message may also be sent to the respondent as also his counsel (9868001254) on their mobile phone so as to facilitate the petitioner to speak to him.

5. In view of the fair stand taken by the learned counsel for the respondent, the petitioner does not press the present petition but seeks liberty to approach the Court again if the need so arises.

6. The petition along with pending application is, accordingly, disposed of as not pressed with liberty to the petitioner to take legal recourse as may be permissible under law in case the respondent violates the order dated 15.01.2020.

7. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.

REKHA PALLI, J

MAY 08, 2020
SDP