

\$~1

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CM(M) 351/2020

SUMIT PHATELA

..... Petitioner

Through: Ms.Mrinalini Sen, Adv. alongwith
petitioner in person.

versus

BHARTI KHURANA

.... Respondent

Through: Ms.Anu Narula, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

26.05.2020

This hearing has been held by video conferencing.

CM No.11292-93/2020 (Exemption)

Allowed, subject to all just exceptions.

CM(M) 351/2020

1. This petition has been filed by the petitioner praying for a direction to the respondent to allow the petitioner to have the video call with the child through WhatsApp/Zoom or any other platform, every day for 15 minutes at 11:00 a.m. or in the evening at around 6:00 p.m..
2. The learned counsel for the respondent, who appears on advance notice, fairly submits that the respondent, without prejudice to her rights and contentions, has no objection to the petitioner having a video call with the child through Zoom platform on every Wednesday and Saturday

at 11.00 a.m. for around 20 minutes on each occasion till the application filed by the petitioner before the learned Family Court is heard. As she has certain apprehensions about the conduct of the petitioner during such calls, such video calls may also be recorded.

3. The learned counsel for the petitioner, without prejudice to the rights and contentions of the petitioner, agrees to the above arrangement.

4. In the petition, it is asserted that the petitioner has filed an application before the learned Family Court seeking similar relief as has been prayed for in the present petition, however, the same could not be listed due to closure of the Courts for reason of lockdown imposed due to the Covid-19 pandemic.

5. The petitioner would be entitled to make a further request to the learned Family Court/District Court to consider such application as an urgent application and to list the same for consideration, within a period of two weeks. The learned Family Court/District Court is also requested to accede to the request of the petitioner for listing of such application. The respondent shall be entitled to file a response to the application, copy of which has been annexed with the present petition as well, on or before the date the said application is listed before the learned Family Court/District Court. Such application will be considered by the learned Family Court/District Court remaining uninfluenced by the interim arrangement that has been arrived at between the parties, as recorded in the present order.

6. The petition is disposed of recording the above statements of the parties and binding them to the arrangement agreed upon between them. There shall be no order as to cost.

7. The order shall be uploaded on the website and shall also be

provided to the learned counsels on the e-mail address provided.

NAVIN CHAWLA, J

MAY 26, 2020/Arya/sd