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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO. 313 OF 2022

Rupesh Suresh Palande ..Petitioner
VS.
Smitika Anil Darekar ..Respondent

Mr. Tejesh Dande i/b Ms. Grishma N. Lad, for petitioner.
None for the Respondent.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 26, 2022

P.C. :

1. The contempt petition is filed by the petitioner-husband alleging breach of the order dated 04/08/2020 passed by the District Judge-1, Additional District Judge and Sessions Judge at Kalyan. By this order, the District Judge-1 had passed appropriate directions for interim custody of minor child Vedant. It is the contention of the learned counsel for the petitioner that the respondent-wife is not honouring the order passed by the District Judge. Learned counsel for the petitioner submits that this is a clear breach of the order passed by the District Judge and therefore, the

respondent-wife deserves to be proceeded against in contempt.

2. In my opinion, in the first instance, if the petitioner-husband brings this aspect to the notice of the District Judge about non-compliance of the order, there is no manner of doubt that appropriate steps in accordance with law for enforcing the order would be considered.

3. Liberty to approach.

4. The request be considered on its own merits expeditiously as the issue of interim custody of a child is involved and in view of the allegations made by the petitioner-husband that visitation rights in terms of the order passed are flouted.

5. The petition is disposed of. No costs.

(M. S. KARNIK, J.)