

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

**CONTEMPT PETITION (MAIN) NO.1/2022
WITH
MISC. CIVIL APPLICATION NO.1819/2023 (F)
IN
CONTEMPT PETITION (MAIN) NO.1/2022**

GOURAV JASWAL

... APPLICANT

Versus

GULNAR JOSHI

... RESPONDENT

Ms A. Agni, Senior Advocate with Ms A. Harihar, Advocate for the Applicant.

Mr J. J. Mulgaonkar with Ms Asmita Tirodkar, Advocates for the Respondent.

**MISC. CIVIL APPLICATION NO.2175/2023 (F)
IN
CONTEMPT PETITION (MAIN) NO.1/2022**

GULNAR JOSHI

... APPLICANT

Versus

GOURAV JASWAL

... RESPONDENT

Mr J. J. Mulgaonkar with Ms Asmita Tirodkar, Advocates for the Applicant.

Ms A. Agni, Senior Advocate with Ms A. Harihar, Advocate for the Respondent.

CORAM:

M. S. SONAK, J.

DATED:

5th October 2023

P.C.:

1. Heard Ms A. Agni, learned Senior Advocate who appears along with Ms A. Harihar for the Petitioner and Mr J. J. Mulgaonkar who appears along with Ms Asmita Tirodkar for the Respondent.

2. The petitioner is present in person in the Court. The respondent has joined the proceedings through video conferencing.

3. Normally, in a Contempt Petition, there is no question of settlement because what is alleged is breach of the order of the Court. However, this is a case of dispute relating to custody and access. The parties have arrived at a settlement insofar as access in Winter 2023 and Summer 2024 vacations are concerned.

4. Learned counsel for the parties hand in the terms of settlement which are taken on record and marked as 'X' for identification.

5. The terms of settlement have been signed by both the advocates and the petitioner. The respondent Ms Gulnar Joshi says that she has read these terms of settlement and she has no objection to the Court making an order based upon the same. Learned counsel for the respondent explains that Ms Joshi is presently in Canada and therefore it was not possible to obtain her signature on these terms.

6. The parties have worked out an arrangement with regard to parenting time and access to their son Iman Jaswal during the two distinct periods specified in the terms of settlement.

7. On perusing the terms of settlement, I find that there is nothing contrary to the public policy set out therein. In fact, it is a good thing that the parties have reached this settlement keeping in mind the interest of Iman.

8. Accordingly, the terms of settlement are accepted and there shall be an order in terms of the settlement marked as 'X' for the purpose of identification.

9. Contempt Petition is disposed of basically because there were some disputes between the parents on the issue of parenting time and access to Iman. There is no contempt as such and now that the parties have resolved their disputes at least for the above two distinct periods, there is no good reason to keep this Contempt Petition pending.

10. Accordingly, this Contempt Petition is disposed of inter alia by making an order in terms of the settlement marked 'X' for the purpose of identification.

11. The parties must abide by this order. The parties to act on an authenticated copy of this order.

12. Now that this Contempt Petition is disposed of, the Misc. Civil Applications filed therein from time to time if not specifically disposed of, are now hereby disposed of.

M. S. SONAK, J.

SUCHITRA
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Date: 2023.10.06
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