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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 238 OF 2024**

Aseem Dinesh Sharma	... Petitioner
vs.	
Rita Sharma	... Respondent

Mr. Aseem Dinesh Sharma, Petitioner.-in-person.

Ms. Saloni Ghule for SMG and Co., for Respondent.

CORAM : GAURI GODSE, J.

DATED : 23rd APRIL 2024

P.C. :-

1. Pursuant to the order passed by this Court, the petitioner has been granted access. Learned counsel for the respondent submits that the respondent has never refused access and she will continue to grant access as per the order dated 21st February 2024 passed below Exhibit-05 in Civil M.A. No. 939/2022, subject to any further orders passed in the petition that she proposes to file.

2. I find it necessary to record that the parties had initially agreed to go for mediation and I had dictated order appointing a mediator. Learned counsel for respondent had requested that during the mediation process, the petitioner be directed to make payment

of an arrears of maintenance which has not been paid since October 2023. She on instructions had also made a statement that the respondent is agreeable to grant access during the pendency of mediation. However, the petitioner in person is not ready to make any statement regarding payment of arrears of maintenance. Learned counsel for respondent submits that since, the parties intended to explore the possibility of settlement by going for mediation, the petition pending before the co-ordinate bench with regard to the order of maintenance was adjourned by consent. Since parties are not agreeable for any amicable interim arrangement and there is disagreement between the parties, no directions can be passed to refer the parties for mediation.

3. Since the Respondent has never refused access, I do not find that there is any breach committed by the respondent of any of the orders. Hence, I am not inclined to entertain this Contempt Petition. Hence, Contempt Petition is dismissed.

4. Parties are at liberty to make an appropriate application in the pending Writ Petition No.10127 of 2023 for further hearing.

(GAURI GODSE, J.)