
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.281 OF 2024
IN
INTERIM APPLICATION EXHIBIT NO.8 OF 2023
IN
CIVIL MISC.APPLICATION NO.94 OF 2023

Arjun G. Seonie & Anr

.. Petitioners

Versus

Jaya A. Seonie

.. Respondent

ANJALI
TUSHAR
ASWALE

Digitally signed by
ANJALI TUSHAR
ASWALE
Date: 2024.08.15
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Mr.Anish Karande, with *Ms.Sonal Darbar*, Advocates for the
Petitioners/husband.

Mr.Ghanshyam Mishra, with *Ms.Ekta Bhalerao/ Ekta Mistry*,
Advocates for the Respondent/wife.

Mr.Arjun Seonie, Petitioner/husband is present.

Ms.Jaya Seonie, Respondent/wife is present.

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.

DATE: AUGUST 12, 2024
(in chambers)

P. C.

The above Contempt Petition has been filed alleging contempt of
the order dated 11th January, 2024 passed by the District Judge-1, Kalyan in
Civil Miscellaneous Application No.94 of 2023. By the said order it was

directed that pending the hearing and final disposal of the application for custody, the Respondent, namely, the wife was directed to allow the Petitioner to take children Aryan and Aariv along with him overnight on the weekend. In other words, on every weekend, the wife would allow the husband to take custody of the minor children at 8.00 a.m. and the children would be dropped back by the husband the next day in the morning at 8.00 a.m. Further, the husband was also allowed to visit the house of the Respondent on the birthday of the children or on holidays for two hours between 10.00 a.m. to 6.00 pm. as per the convenience of the parties.

2 The wife has also filed an application for modification of this order before the said Court and which is pending. Since the above Contempt Petition was filed, we wanted to ascertain as to why the aforesaid order has not being complied with. We, therefore, decided to meet the children to understand their predicament and wishes. After interviewing the children, and after much persuasion from us, we are of the opinion that purely as a stopgap arrangement, the father (the husband) can meet the children Aryan and Aariv (the two minor children) on this coming Sunday (18th August, 2024), subject to the following conditions:-

i. The husband shall be permitted to meet the minor children at Xperia Mall, Dombivli on 18th August, 2024 from 5.00 p.m to 6.30 p.m.

ii. The husband shall come alone to visit minor children and will not bring any other relatives or friends with him at the time when he meets the children. The mother (the wife) and her brother Jince Janardanan will also accompany the children and remain present.

4 We have passed this order only as a stopgap arrangement to see how the access proceeds on 18th August, 2024. We say this because these children were not wanting to meet their father and they have agreed only because of our persuasion.

5 We now place the above matter in Chambers at 4.30 p.m. on 19th August, 2024. We will then decide the further course of action.

6 This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]