

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.356 OF 2024

Aashuutosh Srivastava Petitioner

V/s.

Varsha Rameshankar Srivastava Respondent

Ms.Taubon Irani, for the Petitioner.

Ms.Shirin Merchant a/w Mr.Srushti Kadam, for the Respondent.

CORAM : R.M. JOSHI, J.

DATE : 12th SEPTEMBER 2024

P.C:-

. This is Contempt Petition. After hearing counsel for both sides that before passing any order herein, this Court is of the view that the interest of the child is required to be considered, which can be done by interacting with him. It is not new to the Courts that the spouses/ex-spouses keep on fighting between themselves without considering the interest of the children. Thus it becomes, duty and responsibility of the Court to ascertain certain facts from the child himself before passing any order. This becomes more essential in view of prayers sought by way of

interim relief before this Court. As per the Affidavit filed by the Respondent the child is studying at Anand Nikaten School, Ahmedabad, State-Gujarat.

2. The learned counsel for the Respondent makes statement, on instructions that there would be examination of the child from 20th September 2024 to 30th September 2024. This statement is accepted. In order to ensure that child does not get disturbed during his exam period, he be produced before this Court on 3rd October 2024.

3. The learned counsel for the Petitioner seeks permission to keep the sibling of this child present before this Court on the next date of hearing. There is no embargo on presences of any person before this Court. Even if both children want to meet each other Court cannot prohibit the same. Hence no separate order is necessary in that regard.

(R.M. JOSHI, J.)