

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.593 OF 2024

Jena Aakash Raghani

.. Petitioner

Versus

Aakash Kishore Raghani

.. Respondent

-
- Mr. Ram Mani Upadhyay, Advocate for Petitioner
 - Mr. Ravi Rattesar, Advocate for Respondent.
-

CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 18, 2024

P.C.:

1. Heard Mr. Upadhyay, learned Advocate for Petitioner and Mr. Rattesar, learned Advocate for Respondent.

2. After hearing Mr. Upadhyay, I have asked Mr. Rattesar to reply to the allegations made in the Contempt Petition.

3. Mr. Rattesar in his brief reply would inform that order of which contempt is alleged is challenged by Respondent in Writ Petition and the said Writ Petition is posted after vacation. He would therefore request the Court to permit the Respondent to exhaust the challenge to the said order in the interest of justice.

4. Though *prima facie* I may not be inclined to grant further time but in the facts of the present case which are delineated in the Contempt Petition as also the Affidavit-in-Reply which has been filed, I would like to give one chance to Respondent to obtain appropriate

order in the said Writ Petition. If no order is obtained, this Court shall be constrained to take up hearing in the Contempt Petition and pass appropriate orders.

5. I say this because the Contempt Petition is filed by the mother of an eight and half year old girl child seeking her custody pursuant to specific orders passed by the learned Family Court. Respondent father is not abiding the orders due to various reasons. Petitioner before me is the biological mother and therefore the orders passed by the Trial Court will have to be complied with by Respondent. Hence, only in view of the challenge to the said order I am permitting Mr. Rattesar to seek time. Both parties are present in Court and have informed the Court that they shall make an endeavour to work out their differences in the interest of their eight year old daughter and will also consider going in for mediation.

6. The directions contained in the order dated 25.10.2024 shall prevail in the meanwhile and parties by mutual consent can adjust and reschedule the time of visitation with prior information to each other.

7. Stand over to **15th January, 2025 at 02:30 p.m.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
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SAWANT
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