



2024:DHC:407-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of decision: 18.01.2024***

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COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

YOGITA GUPTA DEPUTY DIRECTOR WCD Respondent

Through: Mr.Sanjay Lao, Standing Counsel
(Crl.) with Ms.Priyam Agarwal,
Mr.Abhinav Kr. Arya & Mr.Shivesh
Kaushik, Advs. for State.
Mr.Krishan Kumar, IAS Director
(WCD).

CORAM:**HON'BLE MR. JUSTICE SURESH KUMAR KAIT****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Learned Standing Counsel (Criminal) appearing on behalf of the State has placed before this Court an affidavit of compliance dated 18.01.2024 in relation to W.P.(Crl) 1493/2023.
2. Pursuant to directions of this Court, vide order dated 10.01.2024, notice was issued to the Director and Deputy Director of Department of Women and Child, GNCTD directing to show cause as to why contempt be not initiated for non-compliance of order dated 20.12.2023 whereby it was directed that two security guards be deployed at Vivekananda Ashram

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within two days.

3. Relevantly, in the matter of W.P.(Crl) 1493/2023, Child 'A' was placed in the Child Care Institution (CCI), Vivekanand Ashram, Shikarpur Village, Najafgarh Block, New Delhi on 17.11.2022 by the order of Child Welfare Committee-VII (District South-West) (CWC Case No.1281/2022 vide DD no.15A dated 16.11.2022, P.S. Jaffarpur Kalan, Delhi for care and protection. The said child went missing from the said CCI on 25.11.2022 and has been missing since then. Hence, the father of the child had preferred the aforesaid writ petition to trace out his son.

4. In the aforesaid facts of the case, this Court had directed the Department to provide two security guards to said Ashram within a period of two days.

5. In the affidavit dated 18.01.2024, it is submitted on behalf of the respondent/State that the department had been making all efforts to comply with the directions of the Court given vide order dated 20.12.2023. However, the same could not be brought to the notice of this Court on 10.01.2024.

6. Reliance is placed upon the letter dated 02.01.2024 written by Government of NCT of Delhi, Department of Women and Child Development (State Child Protection Society) to the District Magistrate (South West), DC Office, Kapashera seeking to depute two male security guards in Child Care Institution Vivekanand Ashram, Shikarpur, Village, Najafgarh Block, New Delhi.

7. It is contended on behalf of the respondent/State that it was never the intention to disobey or disregard the directions of this Court and while seeking exoneration from the contempt proceedings, an apology is tendered

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by the alleged contemnors.

8. Learned Standing Counsel has drawn the attention of this Court to the compliance report annexed to the aforesaid affidavit and submitted that the Department of Women & Child Development, GNCTD has deputed two male Security Guards at Child Care Institution (CCI) Vivekanand Ashram, Shikarpur Village, Najafgarh Block, New Delhi-110043 on 11.01.2024 and 12.01.2024, in the compliance of this Court orders dated 20.12.2023 and 10.01.2024 from it's own office.

9. Attention of this Court is also drawn to the office order dated 10.01.2024 passed by the Department of Women and Child Development, Government of NCT of Delhi annexed to the present affidavit.

10. In view of the fact that directions of this Court vide orders dated 20.12.2023 and 10.01.2024 have already been complied with, nothing is left for further consideration in the present petition. The contemnors stand discharged.

11. The present contempt petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(MANOJ JAIN)
JUDGE

JANUARY 18, 2024/ab

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