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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 767/2022 and CM APPL. 29143/2024**

RUCHI AGGARWAL

.....Petitioner

Through: **Mr. Ankit Rana and Mr. Tushar Rohmetra, Advs.**

versus

VIPIN PRAKASH AGGARWAL

.....Respondent

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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19.07.2024

1. The petitioner/wife is seeking of issuance of contempt proceedings against the respondent/husband for wilful disobedience of the directions of the learned Metropolitan Magistrate ['MM'] (Mahila Court), North District, Rohini Courts, Delhi, whereby the visitation rights have been granted to her to meet her two minor children, who are evidently in the custody of their father.
2. The said order was assailed by the respondent in Criminal Appeal No. 70/2022 and the said appeal was dismissed by the learned Appellate Court vide order dated 11.05.2022. Thereafter, the respondent/husband approached this Court in Criminal M.C. No. 3165/2022, which also stands dismissed vide order dated 21.02.2024.
3. None appeared on behalf of the respondent today.
4. Evidently, the respondent is in wilful and contumacious disobedience of the directions of this Court.
5. However, having said that, the present petition is not maintainable since the impugned order in question, whereby the



petitioner has been granted visitation rights to meet her minor children is an executable order. It is acknowledged by the learned counsel for the petitioner that the matter is coming up before the learned MM (Mahila Court), for compliance on 08.08.2024. This Court takes note of the frustration of the petitioner who has been deprived of having a meaningful meeting with her children in an utmost audacious manner by the respondent. Learned MM is directed to ensure that appropriate coercive measures are taken, so as to bring the children before the Court and ensure that the petitioner is granted visitation rights from time to time, in accordance with the orders already passed by the Court.

6. A copy of this order be sent learned MM (Mahila Court), North District, Rohini Courts, Delhi, for information and necessary compliance.
7. The present petition is disposed of without prejudice.
8. The earlier date i.e. 23.09.2024 stands cancelled.

DHARMESH SHARMA, J.

JULY 19, 2024

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