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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCP-2962-2023 (O&M)
Date of decision : 03.09.2025

Maneesh Chawla

...Petitioner

Versus

Amina Chawla

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Petitioner-in-person with
 Mr. R. Aditya, Advocate
 (both through Video Conferencing).

Mr. Akshay Singh Sindhu, Advocate,
for Mr. Animesh Sharma, Advocate,
for the respondent.

HARPREET KAUR JEEWAN, J. (Oral)

CM-16981-CII-2025

1. Application for placing on record Annexures A, B and C is allowed as prayed for, subject to all just exceptions.

2. On oral request, the main case which is pending for 25.02.2026 is preponed and taken on Board, today itself.

Main Case

1. The instant petition has been filed for initiation of contempt proceedings against the respondent for alleged willful disobedience the orders dated 20.03.2023 (Annexure P-6) and 25.03.2023 (Annexure P-7), passed by the Family Court, Gurugram.

2. Learned counsel for the petitioner contends that the petitioner had filed a petition under Sections 7, 10, 13 and 25 of the Guardians and Wards Act, 1890, read with Section 6 of the Hindu



Minority and Guardianship Act, 1956, seeking custody of the minor child, who is presently in the custody of the respondent-wife.

3. During the pendency of the said petition, the Family Court vide order dated 20.03.2023 observed that both the parties have agreed that the child shall interact with the petitioner every day, telephonically and the following order was passed:-

“Both parties are present alongwith the minor child. The Court interacted with her and it has been found that she is comfortable with her parents. However, presently she is not willing to spend her holidays exclusively with the petitioner. On suggestion from the Court both the parties have agreed that the child shall interact with the petitioner every day telephonically at 8.00 PM.

To come up on 05.05.2023 for further settlement otherwise for filing written statement.”

4. Similarly, vide order dated 25.05.2023, though the minor child stated that she does not want to spend the summer vacation with her father, however, the petitioner was allowed to take the child from the house of the respondent and thereafter drop her back after 05 hours and the following order was passed:-

“Today the case was fixed for filing reply to the application for allowing the petitioner to handover the custody of minor child during the summer vacations. The respondent has filed the reply and contested the application. Respondent has also produced the minor child in the court and this court has also interacted with the child. The child namely Kaashvi aged 12 years, studying in 8th Class has stated that she does not want to spend the summer vacation with father. This court cannot handover the custody of the minor child to the petitioner against her wishes. However, the respondent is directed to allow the petitioner to meet the minor child twice in a month in view of the previous order. However, the time to meet the child is enhanced from 2 to 5 hours. Petitioner is allowed to pick the minor child from the house of the respondent and thereafter drop the minor child after 5 hours. Both the parties are directed to make strict compliance of this order.



Now the case is adjourned to 18.08.2023 for filing of written statement. It shall be the last opportunity.”

5. The petitioner has alleged non-compliance of the aforesaid orders.

6. I have considered the aforesaid submissions and perused the paper-book.

7. The petitioner has a remedy under Section 18 of the Family Court Act, 1984, for execution of the decree and orders passed by the Family Courts.

8. It is further observed that since the order pertains to the custody of a school-going minor child, this Court is of the considered opinion that the atmosphere and set-up in the Family Court will be more conducive to the child.

9. In view of the above, present petition is disposed of with liberty to the petitioner to avail appropriate remedy available to him in accordance with law.

10. Rule stands discharged.

11. However, it is made clear that there is no observation on merits of the controversy.

12. Pending miscellaneous applications, if any, shall stand disposed of.

03.09.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No