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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 03rd February, 2025

+ CONT.CAS(C) 162/2025 & CM APPL. 6297/2025

CHARU JOLLY

.....Petitioner

Through: Mr. Aryan Arora and Mr. Vishal
Gupta, Advocates.

versus

ROHIT KALRA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. The petitioner seeks initiation of contempt proceedings against her husband for wilful disobedience of the directions contained in order dated 24.02.2024 passed by learned Judge Family Court.

2. The relevant directions are as under:-

*“The parties have mutually agreed to hold visitation on 1st and 3rd Saturday of every month. Considering the overall facts and circumstances, it is ordered that the respondent/mother is granted visitation rights to meet the child on 1st and 3rd Saturday of every month for two hours from 2:00 pm to 4:00 pm. Accordingly, the petitioner is directed to bring the child in the adjoining children room for visitation with the respondent on the scheduled day and time. It is clarified that in case of any exigency, if the petitioner is unable to bring the child on the scheduled day and time, he will inform the respondent in advance and in that case, the visitation shall be affected on the next working Saturday on the same time. Similarly, if the respondent is unable to come for visitation with the child, she will inform the petitioner well in time, in that case also, the visitation shall affect on the next working Saturday on the same time. Both the parties are directed to convene the meeting in a peaceful and conducive atmosphere and restrain themselves from saying anything bitter in the presence of the child. With these directions, the **interim application stands disposed off.**”*

3. When asked, learned counsel for the petitioner submitted that



generally, respondent does not come with the child in time and at times, no visitation happens on the stipulated Saturday and there is attempt to club the two visitations. It is also contended that at times, even a ruckus is created during such visitations.

4. The child is reportedly 7 years of age and evidently, the custody of the child is with the father for quite some time.

5. After hearing arguments for some time, learned counsel for the petitioner submits that the petitioner would rather move appropriate application before the learned Judge, Family Court, highlighting the grievances and the concerns and would make appropriate request for redressal of the same. The next date before the learned Judge Family Court is stated to be 04.04.2025.

6. It is also submitted that the parties tried to find out amicable solution of the matter but somehow the mediation failed.

7. Be that as it may, in view of the above, the present petition, is permitted to be withdrawn without prejudice to the rights and contentions of the parties, with liberty to petitioner to move appropriate application before the learned Judge Family Court.

8. Learned Judge Family Court is requested to consider the above said application expeditiously, without being influenced by any of the observation made in the present order.

9. The petition stands disposed of accordingly.

(MANOJ JAIN)
JUDGE

FEBRUARY 3, 2025/ss