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

+ **CONT.CAS(C) 1128/2022**

KSHITIJ GUPTA

.....Petitioner

Through: **Ms. Aashna Singh, Adv. (through VC)**

versus

PALLAVI GUPTA

.....Respondent

Through: **Mr. Raj Kumar, ASC for NDMC
Mr. Arindam Mukherjee & Mr.
Abhishek Kumar, Advs.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **14.11.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 10 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers:-

“A. Issue a notice of show cause to the Respondent under Section 10 of the Contempt of Courts Act, 1971 for having committed contempt of the Order dt. 21.07.2022 passed by the Learned Principal Judge, Family Court (south), Saket Court in HMA /19/1324 and for having obstructed with the administration of justice.

B. Initiate contempt proceedings for violating the order of the Learned Principal Judge, Family Court (South), Saket Court and punish the Respondent in accordance with law.

C. Pass any other relief that this Hon'ble Court may deem fit and proper”

3. Vide order dated 21.07.2022, the learned Principal Judge, Family Court has passed the following directions:-

“The respondent had filed an application under Section 26 of HMA submitting that child Shiv Gupta aged 4 years was going to



DPS: Mathura Road in pre-school but now petitioner is not sending the child to school. It is prayed in the application that directions may be issued to petitioner to continue to send the child to the school.

Ld. Counsel for petitioner submits that the school is quite away from the petitioner's home and that she is having inconvenience to send the child to the school and she is interested to get the child's admission done in a school close by.

I have considered the submissions. It is admitted by both the parties that school is only five kilometers away from the residence of the petitioner. It is directed that petitioner shall start sending the child to school as the school is not far away. It is agreed by respondent that he will arrange the transport for taking the child to school from the petitioner's current address and for bringing back the child from school to petitioner's address. It is submitted by respondent that till the said arrangement is made respondent will himself pick up the child from petitioner's residence and taking to school and then bring him back to the petitioner's residence. Respondent is directed to clear all the arrears of maintenance before the next date. Application is disposed of accordingly.

Put up the matter for the date already fixed i.e. 3.11.2022.

Copy of order be given dasti to both the parties.”

4. Learned counsel for the parties submit that the issue of the child attending school is presently pending adjudication before the learned Family Court.
5. In these circumstances, it is appropriate that the Family Court may adjudicate the issue and pass necessary orders.
6. In these circumstances, the petition is disposed of with the direction to learned Family Court to decide the case as expeditiously as possible with liberty to the petitioner to move an appropriate application before the concerned Family Court.
7. Contentions of the parties are left open.



8. Petition is disposed of accordingly.

AMIT SHARMA, J

NOVEMBER 14, 2025/nk/ah