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

+ **CONT.CAS(C) 1872/2023**

VARUN SHARMA

.....Petitioner

Through: Ms. Geeta Luthra, Sr. Adv., Mr. Anuj Singh, Mr. Dennis Jacob, Adv. along with Petitioner in person.

versus

POOJA SAINI SHARMA

.....Respondent

Through: Ms. Suruchii Aggarwal, Senior Adv. along with Mr. Loveleen Kaithwas, Mr. Manish Kumar Vikkey, Mr. Gurmeet Singh with Ms. Pooja Saini Sharma & Respondent in person.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

25.03.2025

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1. Both parties are present before the Court. It is informed that SLP against the contempt petition has, finally, been dismissed by the Supreme Court on 2nd January 2025, giving liberty to the parties to agitate their contentions before this Court.
2. The issue is regarding the compliance of order dated 29th November 2023 passed by the Family Courts, South-East, Saket.
3. The issue concerns the directions contained in *paragraph 14 (i)* of the said order, which is extracted as under:



14. After due consideration of the settled legal propositions, I deem it fit to issue following directions:

(i) In view of tender age of baby Meera, interim custody during the pendency of the petition as prayed by the petitioner is declined, however, petitioner is entitled for sufficient visitation rights so that baby Meera does not loose physical, psychological, emotional and social contact with the father. Hence, petitioner is allowed to visit the respondent's house or any nearby public place like park, temple, mall etc. to meet his daughter baby Meera every day for two hours from 05.00 p.m. to 07.00 p.m.

4. It transpires that thereafter, the visitation aspects were not complied with, considering the choice which was given to the petitioner to visit respondent's house OR any nearby public place etc.

5. Petitioner, who is present in person, states that he is unwilling to go to the respondent's house, due to the hostility which is meted out to him, while the respondent states that since the child is of a tender age of four years, the child must be met in a clean, secure and safe environment.

6. To resolve this issue, the Court has interacted with parties who are present in Court.

7. It is agreed between the parties that visitation rights will be carried out, in consonance with the directions of the Family Court, at the *I-Block Park in Chittranjan Park, New Delhi – 110019*, between 05:00 to 07:00



P.M.

8. The child will be accompanied by only her mother for the purposes of visitation. Needless to state mother's presence will be necessary since the child is very young; however, the mother will allow the father to spend unhindered, undiluted time with the child, during that period. The mother/respondent will only be present in the vicinity, to ensure that child's security and health is not comprised, in any manner whatsoever.

9. Petitioner/father of child will also ensure that the safety, security, and care of the child is of paramount importance and is not compromised, in any manner whatsoever.

10. Basis this arrangement agreed to between the parties, who are present in person, the petition is disposed of.

11. Both the parties undertake to be bound by this arrangement which has been arrived at.

12. This arrangement shall subsist, at this stage, since it is informed that respondent has filed a C.M. (Main) before this Court against the Family Court's order.

13. Needless to state this has been agreed to, between the parties, as an arrangement, till any other clarification is made to the order dated 29th November 2023 by a competent court.

14. Parties are at liberty to approach this Court with a requisite application, in case there is any infraction by the parties.

15. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 25, 2025/ak/kp