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

+ **CM(M) 1981/2025**

CHARU JOLLY

.....Petitioner

Through: Mr. Ashish Kumar Singh, Adv.
Petitioner in person (through VC)

versus

MR. ROHIT KALRA

.....Respondent

Through: Ms. Sakchie Saluja, Adv. with
respondent in person (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **17.02.2026**

1. This hearing has been done through hybrid mode.

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2. The present application on behalf of the respondent under Section 151 of the CPC seeks the following prayers:-

“a) Allow the present application in favour of the applicant/respondent.

b) Prepone the hearing of the present petition to an earlier convenient date in the interest of justice.

c) Pass any other or further orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the present case.”

3. Issue notice.

4. Learned counsel for the petitioner accepts notice.

5. With the consent of parties, the captioned petition is taken up for



hearing.

6. The present application is disposed of.

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7. The present petition under Article 227 of the Constitution of India seeks the following prayers:-

- a. Direct the Ld. Family Court to adjudicate the matter in a judicious and lawful manner.
- b. Grant an order to the Petitioner to set aside the order dated 20.09.2025 passed by the Ld. Judge Family Court granting NOC to the Respondent.
- c. Dismiss the NOC application filed by the Respondent before the Ld. Trial Court.
- d. Grant an order directing the Ld. Trial Court to complete the contempt proceedings pending against the Respondent before taking up any other frivolous and meritless applications.
- e. Pass such other and further order, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice."

8. *Vide* order dated 20.09.2025, learned Family Court directed the petitioner to give NOC for issuance of tourist visa for the child on an application moved by the respondent in order to take him for an international trip.

9. Learned Family Court while disposing of the application moved by the respondent passed the following order:-

"I have considered the submissions and gone through the record. The petitioner is having the custody of the child and the short controversy involved is regarding the NOC to be given by the respondent for the international visit of the child for holidays. So- far as the apprehension of the respondent of taking the child permanently to abroad, the same can be ruled out if the NOC to be given by the respondent specifies that it is only for tourist visa. So far as the defaults in the visitations is concerned,



I am of the view that the same should not be made a ground to deprive the child from having international vacations. I am finding no impediment in allowing the application. The application is accordingly allowed and the respondent is directed to issue the necessary NOC in favor of the petitioner /child for obtaining a tourist visa within 3 days from today.”

10. Learned counsel for the petitioner submits that the respondent had not furnished the travel details including the destination in terms of order dated 28.10.2025 passed by learned Predecessor Bench of this Court.

11. On the other hand, learned counsel for the respondent submits that the same has now been filed with the learned Family Court. Learned counsel for the petitioner has expressed his apprehension that in case the respondent is permitted to travel abroad alongwith the child he may not return. As already noted by learned Family Court, the NOC required from the petitioner is only with respect to tourist visa. Learned counsel for the respondent, on instructions of the latter submits that he is willing to furnish security for the purposes of such travel. Admittedly, the custody of the child is with the respondent.

12. In these circumstances, the order dated 20.09.2025 is modified in the following manner:-

- (i) That the respondent herein Mr. Rohit Kalra shall furnish a security to the tune of Rs. 2 lakhs with the learned Family Court to the satisfaction of the learned Family Court.
- (ii) After obtaining the concerned visa, the respondent shall give a detailed itinerary before the learned Family, with respect to the destinations and places that he will be travelling with the child.
- (iii) The respondent shall also file an undertaking with the concerned



Family Court to come back within the time as per itinerary so furnished by him.

13. With these observations, the petition stands disposed of.
14. Pending application, if any, also stands disposed of.
15. The next date of hearing i.e. 07.05.2026 stands cancelled.

AMIT SHARMA, J

FEBRUARY 17, 2026/nk/ah