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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1093/2024**
SH SARVESH ANAND

.....Petitioner
Through: Dr.Amit George, Advocate with
petitioner in person.

versus

GAURI MUNJAL

.....Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

% **ORDER**
19.07.2024

CM APPL. 40256/2024

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

**CONT.CAS(C) 1093/2024, CM APPL. 40255/2024 – INTERIM
REFIEF**

3. The petitioner/husband/father is seeking initiation of contempt proceedings against the respondent/wife for wilful disobedience of the directions contained in the judgement dated 17.03.2021, passed by the learned Principal Judge, Family Court and further as modified by this Court in Cont.Cas(C) No.1351/2022 dated 04.09.2023 and lastly on 08.05.2024. In the latter order dated 08.05.2024, *inter alia* a direction was given that the petitioner/husband would be allowed unsupervised



custody for a period of 48 days every year and in view of the statement made by the learned counsel for the parties, the petitioner was allowed to meet his child in Dubai w.e.f. 07.07.2024 for a period of three weeks.

4. It is submitted that the petitioner intimated his intention to the respondent to visit Dubai for meeting the child, he received a reply from the respondent through e-mail dated 28.06.2024, whereby he was informed that the child was not willing to meet the petitioner and that the child wanted to go to Russia for a summer camp.

5. The long and short of the submission is that although the petitioner has communicated his intention to visit the child in August instead, and he has been bluntly told that he would be given only three days, as stated in the Whatsapp message annexed as Annexure P-20.

6. The advance notice of the present petition has been sent to the e-mail address of the respondent, which was provided by her in accordance with the directions of this Court dated 04.09.2023.

7. Learned counsel for the petitioner has invited attention of this Court to the previous orders, passed in a similar situation arising in a different case i.e. WP(Crl.) 2375/2019 titled a **Kiran Lohia v. State & Ors.** dated 05.09.2019.

8. In the considered opinion of this Court, directions in the aforesaid matter serves as a precedent for initiating action against the contemnor party, when one is settled abroad.

9. For the time being, let notice be issued to the respondent through e-mail, along with the copy of this order intimating her that, in case she does not appear on next date of hearing, either physically or virtually through VC before this Court, this Court may be constrained to pass necessary directions to the Ministry of External



Affairs to examine the possibility of impounding/revoking her passport and further directing the CBI or any other investigating agency to explore the possibility for issuing a “Red Corner Notice” against her.

10. Renotify on 25.07.2024 in the supplementary list.
11. Copy of the order be given dasti.

DHARMESH SHARMA, J.

JULY 19, 2024/VLD