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

+ **CONT.CAS(C) 1093/2024**

SH SARVESH ANAND

.....Petitioner

Through: Mr. Aman Singh Bakhshi, Mr. Divjot
Singh Bhatia, Advs.

versus

GAURI MUNJAL

.....Respondent

Through: Ms. Arpita Rai, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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16.05.2025

CM APPL. 29942/2025 (for directions to respondent)

1. This application has been filed seeking appropriate directions directing the respondent to bring *Master Hridhan*, the minor child to New Delhi during the upcoming summer vacations commencing from the month of June 2025 in terms of the deed of settlement and the updated terms contained in the second motion divorce petition.
2. It had already been noted in the previous order of 2nd May 2025 of the terms of the agreement and it had been directed that the counsel for petitioner will approach *Ms. Arpita Rai*, counsel appearing on behalf of respondent, for the respondent's counsel to take instructions from the respondent and convey the same to the petitioner within one week by way of a written communication.
3. It is stated by the counsel for petitioner that this communication has not been forthcoming despite the directions and, therefore, this application



was filed.

4. *Ms. Arpita Rai*, counsel for respondent appears and states she has been unable to convey a response to counsel for petitioner since she had been informed by the respondent, that the child had met with an accident and was in the hospital for a few days and thereafter, has returned only now to his home.

5. In this regard, considering there is a history of reluctance to allow visitation, as per the counsel for petitioner, the medical documents will be placed on record within the next two weeks with copy to counsel for petitioner.

6. There is yet another assertion by the counsel for respondent that she has been informed by the respondent that the child is supposed to go to Summer Camp but no specific dates are available. She states that dates will be available within the next week and she will pursue it with the respondent.

7. The same will also be communicated by counsel for respondent to counsel for petitioner within one week.

8. *Ms. Arpita Rai*, counsel for respondent clarifies and submits that there is no mandate in the settlement that the child mandatorily has to be sent to India for visitation and that the petitioner along with his family have in the past as well visited Dubai and spent time with the child.

9. In any event, it is made clear that in the facts and circumstances, there shall be no resistance to compliance of the settlement arrived at between the parties and the undertakings given.

10. In the opinion of this Court, the issues will be eased if clear communication is exchanged between the counsel for petitioner and the respondent in this regard, on instructions of their respective parties, rather



than approaching the Court time and again for these issues. This was the context in which the order dated 2nd May 2025 was passed.

11. The Court expects the counsels to respect this and only approach the Court if there is deliberate and wilful violation of the settlement agreement in this regard.

12. Application is disposed of.

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1. List on 06th August 2025, the date already fixed.
2. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 16, 2025/ak/na