

O.P.No.649 of 2022

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R.N.MANJULA, J.

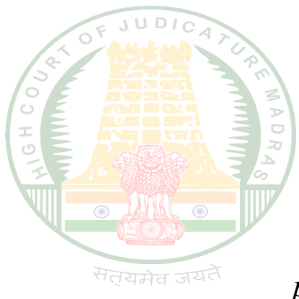
WEB COPY On 28.07.2023 this Court has passed a specific order which has not been complied so far.

2. When the matter is taken up today, attention of this Court was drawn to the order dated 18.04.2023 passed by the Division Bench of this Court in O.S.A.No.21 of 2023 wherein it has been observed as under:

“5. Considering the facts and circumstances of the case and as agreed to by the learned counsel appearing for both sides, this Original Side Appeal stands disposed of, leaving it open to the parties to agitate their rights before the learned Judge, with whom O.P.No.649 of 2022 is pending. Till a final decision is taken in the said original petition, the interim arrangement made in the order dated 12.01.2023 shall stand continued.”

3. According to the above order of Division Bench, the Original Petition in O.P.No.649 of 2022 which is pending before this Bench has to be disposed. However the order dated 12.01.2023 should be continued. As per the order dated 12.01.2023 the following arrangements have been suggested:

i) The applicants shall be provided access to the child between 21.01.2023 and 22.01.2023. As specified in the earlier order, the child shall be picked up by the applicants from the mother's house on 21.01.2023 at about 10.00 a.m. and handed over to the mother of the child on or before 5.00 p.m. on 22.01.2023.



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ii) *The child shall not be taken out of Cuddalore during the above period.*

iii) *Both parties shall extend necessary co-operation to ensure that the above directions are complied with.*

4. But the learned counsel for the respondent submitted that it is impossible because presently the child is at Sharja, UAE. Only in view of the above statement, the respondent was asked to file an affidavit. Each time when the matter is taken up, the affidavit of the respondent has not been filed by not obeying the order of Court.

5. Whatever may be the circumstances, even if the child is at abroad there is no impediment for the child to have virtual meeting with her grand parents who are the petitioners herein.

6. Hence the respondent is directed to allow the child to meet the respondent through virtual mode in whatever application that is available and feasible at Sharja, UAE. There shall be a virtual meeting between the child and the respondent on every Saturday of a month between 12.00 p.m. to 02.00 p.m. (IST), until further orders.

7. If the respondent fails to file any affidavit by next hearing in the required manner as per the earlier orders, consequential orders will be passed. The matter is ordered to be listed on 22.08.2023.

08.08.2023

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