



2026:DHC:4185



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

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Date of Decision: 11.05.2026

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CONT.CAS(C) 1146/2025 and CM APPL.24666/2026

HITENDRA SINGH

.....Petitioner

Through: Ms. Jyoti Sharma and Mr. Rishabh Jain, Advs.

versus

ABHILASHA SINGH

.....Respondent

Through: Ms. Akshita Pandey, Adv. along with respondent in person.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. *Vide* order dated 20.02.2026 passed in the present proceedings, it was directed as under:

“1. *Vide* order dated 12.11.2025 passed in the present proceedings it was, *inter alia*, recorded as under:

“5. *Today, two minor children have been brought and this Court has interacted with them in the Chamber.*

6. *The older son is studying in Class V and the younger son is studying in Class I.*

7. *The children were comfortable being with the father. They expressed their feelings that both the parents should be together but at the same time they were not averse to be with the father-petitioner all by themselves.*

8. *Respondent, on the other hand, insists that it will be in the interest of the children that she will be present at the time of the visitation with the husband.*

9. *In the considered opinion of this Court, the direction passed by the learned Division Bench vide order dated 18.02.2025 was clear that the appellant, i.e., respondent herein, will drop the minor children at the official accommodation of the respondent, i.e., the petitioner herein, at 11:00 AM on every alternate Sunday, i.e., 1st and 3rd Sunday of the month, whereafter the respondent, i.e., the petitioner herein, will drop back the children to the resident of the appellant, i.e., the respondent herein, at 04:30 PM on the same day.*



10. Clearly, in no uncertain terms, perusal of the order dated 18.02.2025 passed by learned Division Bench indicates that at the time of visitation the children would be with the petitioner all by themselves without the presence of the respondent.
11. It is further pointed out that the next date for visitation is scheduled for 16.11.2025.
12. It is agreed with the consent of the petitioner that only for the purpose of visitation on 16.11.2025, he will pick up the children from the residence of the respondent at 11:00 AM and will drop the children back at the residence of the respondent at 02:00 AM.
13. It is made clear that the respondent shall not accompany the petitioner and the children on 16.11.2025.
14. List for further hearing on 19.11.2025 at 04:30 PM.
15. The respondent shall bring both the children on the next date of hearing for further interaction.”

2. It is alleged by the learned counsel for the petitioner that despite the categorical and unmistakable terms of the directions contained in aforesaid order, the same are not being complied with by the respondent, inasmuch as the respondent continues to remain present at the time of visitation afforded to the petitioner.

3. The respondent, who is present in person, expresses apprehension about the availability of the adequate medical facilities that may arise during the visitation on account of medical condition of the younger son of the parties.

4. The petitioner, who has joined the proceedings virtually, assures and undertakes that appropriate arrangements shall be made to ensure that the adequate medical facilities are available in the event of need for the same during the visitation.

5. He also submits that he is an Army Personnel and in the vicinity of his residence, there are ample doctors residing and medical facilities are also available.

6. In the circumstances, the respondent is cautioned against disregarding the directions contained in the order dated 12.11.2025. In terms thereof, for the purpose of visitation, the child would remain present with the petitioner without presence of the respondent. It is made clear that any infringement or violation of the aforesaid directions shall be considered as wilful and egregious contempt of the orders passed by this Court, entailing severe actions.

7. List for further consideration on 30.07.2026.”

2. On account of the aforesaid directions not being adhered to by the respondent, an application [CM-24666/2026] came to be filed by the petitioner in the present petition. The contents of the said application bring out a disconcerting pattern of non-adherence to the directions passed by this



Court by the respondent. However, this Court gave benefit of doubt to the respondent and on 04.05.2026 issued directions for facilitating visitation between the petitioner (father) and children at the Delhi High Court Mediation and Conciliation Centre (DHCMCC). The order dated 04.05.2026 passed in the present proceedings reads as under:-

“CM APPL.24666/26 (for apprising the Court about continuous contempt)

1. *By way of the present application, it has been brought out that the respondent (mother) is in persistent and continuous disobedience of the orders passed by this Court. It is noticed that even the directions contained in the order dated 12.11.2025 and 20.02.2026 passed in the present proceedings have not been complied with since visitation between the petitioner (father) and his children, was not afforded in terms thereof.*

2. *The respondent insists that the children themselves are not desirous of interacting with the petitioner (father). To allay this apprehension, with the consent of the parties, following directions are issued:*

(i) *A visitation between the petitioner-father and children shall take place on 08.05.2026 at the Delhi High Court Mediation and Conciliation Centre from 04:00 PM to 06:30 PM.*

(ii) *The aforesaid visitation on 08.05.2026 shall take place in the presence of a child counsellor. The respondent shall not remain present at the time of the aforesaid visitation between the children and the petitioner. Since the birthday of one of the children happens to be on the said date, the petitioner shall be entitled to celebrate the same during the said visitation.*

(iii) *The child counsellor is directed to observe the aforesaid visitation and furnish a report, inter alia, as to comfort level between the petitioner (father) and the children during the visitation. The report prepared by the child counsellor shall be placed on record in a sealed cover in the present proceedings, before the next date of hearing.*

(iii) *It is agreed that if the report of the child counsellor records that there is no difficulty in interaction between the petitioner (father) and the children, future visitation/s shall take place as contemplated in the order/s dated 12.11.2025 and 20.02.2026 passed in these proceedings.*

3. *List for further consideration on 11.05.2026 in the category of “Supplementary Matters”.*

4. *Order dasti.”*

3. Thereafter, an application [CM-30851/2026] seeking modification of



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the aforesaid order dated 04.05.2026 was filed by the respondent in the present petition. *Vide* order dated 07.05.2026, the said application came to be dismissed by observing as under: -

“CM APPL.30851/2026 (filed on behalf of respondent for modification of order dated 04.05.2026)

1. The present application has been filed by the respondent seeking the following prayers:-

a) Modify the order dated 04.05.2026 to the extent that the birthday celebration of the minor child on 08.05.2026 be permitted to be held at a neutral, child-friendly venue, to be mutually decided by the Petitioner and the Respondent, in the presence of the child's friends;

b) Direct that the Respondent and Petitioner shall be at liberty to take photographs and/or make a video recording of the celebration, which shall be submitted to this Hon'ble Court for its perusal

2. The directions contained in the order dated 04.05.2026 mandating visitation in the Delhi High Court Mediation and Conciliation Centre in the presence of a child counsellor were passed with a view to ensure that the interests of the children are protected.

3. Given the background, it was deemed necessary that the visitation should take place in the presence of a child counsellor and appropriate directions for that purpose were issued. No ground is made out for modification thereof. Also, the fact that birthday of one of the children is on 08.05.2026 does not constitute a ground to modify the order. Rather, the order dated 04.05.2026 was passed keeping this aspect in mind.

4. In the circumstances, no merit is found in the present application, the same is consequently dismissed.

5. It is made clear that if there is any non-compliance on the part of the respondent with the directions contained in the order dated 04.05.2026, this Court shall take appropriate action against the respondent for committing wilful disobedience of the orders passed by this Court.”

4. When the matter came up for hearing on 07.05.2026, no difficulty with regard to the health of either of the children was expressed as the ostensible basis for not holding the visitation on 08.05.2026. However, unfortunately, it is brought to the notice of this Court that, once again, the



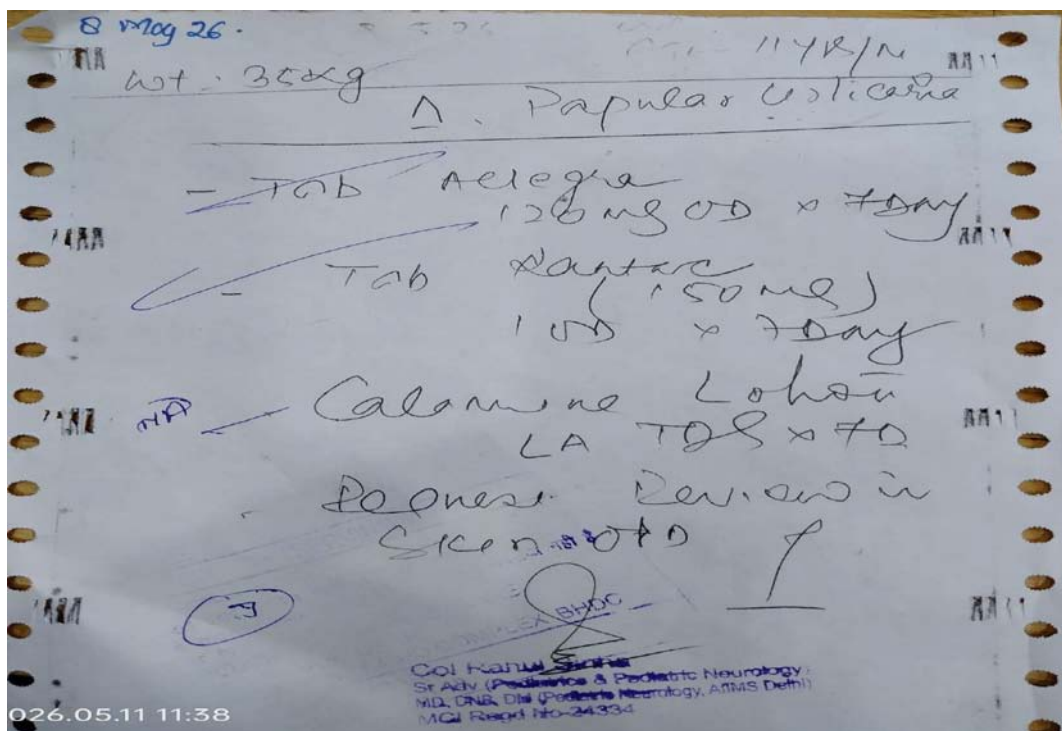
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respondent has not adhered with the directions contained in the orders dated 04.05.2026 and 07.05.2026 passed in the present proceedings inasmuch visitation was not afforded by the respondent on 08.05.2026.

5. The report of the child counsellor which has been received in the Court also records that both the child counsellor and the petitioner kept waiting in the DHCMCC till 06.15 PM on 08.05.2026. The respondent did not even adhere to the courtesy of informing the DHCMCC that she would not be bringing the children for visitation.

6. Today, the ostensible reasons cited by the respondent for not affording visitation on 08.05.2026, is that there was some medical circumstances with regard to one of the children. In support thereof, a medical prescription issued by the Base Hospital, Delhi Cantonment has been sought to be relied upon. The same is as under:





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BASE HOSPITAL, DELHI CANTT

OPD SLIP

Token No.	#OR4435	Dated	May 08, 2026, 1:21 PM
HID	202864193120	Referred to	SKIN OPD COD
Service	Army (Serving)	Relationship	SON OF
ECDS No.	N/A	Age	11 Y
Patient's Name	ATHARV SINGH SISODIA	Sex	Male
C/O Name	HITENDRA SINGH	Rank	Lt Col
Pers No.	IC 64193 M	P.O.I	Dependent Care
Unit	IHQ OF MOD ARMY (AG BRANCH)	Contact No.	9418261253
Operator Code	CODPOLY1		

Registration Timing 0745h - 1300h

Last 5 visits

- 08-05-2026 PAED OPD COD
- 08-05-2026 PAEDIATRICS OPD BHDC
- 19-11-2025 PAED OPD COD
- 16-11-2025 TRAUMA OPD BHDC
- △ Papular urticaria

Rx

- ~~MOMETASONE 0.1% TUBE OF 10 GM 3 Tube BD for 2 Weeks~~ (3)
- ~~Aqua+Glycerin+Petrolatum+Isopropyl Palmitate+Dimethicone+Avena Sativa (Oat) Kernel Oil+Butyrospermum Prkii(Shea Butter) Extract+Avena Sativa (Oat) Kernel Extract (Non-Comdogenic & Fragrance Free) Lotion Bottle of 354 ml 1 Bott BD for 1 Month~~ (1)
- ~~Calamine 8% with aloe vera gel 10% + Light liquid paraffine 10% +olivem 800 Iction 2 BOTTLE BD for 1 Month~~ (2)
- ~~PEXOFENADINE HYDROCHLORIDE TAB 120 MG 15 No HS for 2 Weeks~~ (15)

(DURGA M. TRIPATHY)
LT COL
MEDICAL OFFICER

**BASE HOSPITAL
DELHI CANTT**

May 08, 2026, 1:21 PM
OPD
SKIN OPD COD
HID - 202864193120
ATHARV SINGH SISODIA
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#OR4435

2026.05.11 11:38

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7. A perusal of the same indicates that said prescription has been given in the context of a pre-existing dermatological issue. The prescription itself



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records that there has been atleast five previous visits with regard to the said dermatological issue. Clearly, it is apparent that the visit to the doctor was a routine one and was in pursuance to previous visits as recorded in the prescription itself. The same was not in the nature of an emergent circumstance so as to justify non-compliance with the orders passed by this Court.

8. As noted, even when the matter came up for hearing on 07.05.2026, on the modification application filed by the respondent, no inkling was given by the respondent as to any difficulty in producing the children in the DHCMCC. Further, there is no rationale / explanation for not informing the petitioner nor the DHCMCC that the respondent would not be bringing the children for visitation.

9. From the entire facts and circumstances and considering the conduct of the respondent ever since the outset, it is evident that the respondent has displayed utter and wilful disobedience of the orders passed by this Court. Accordingly, the respondent is held guilty of 'contempt' as defined under Section 2(b) read with Section 12 of the Contempt of Courts Act, 1971.

10. List for orders / arguments on sentencing on 18.05.2026 in the category of '*supplementary matters*'.

11. In the meantime, for purpose of giving an opportunity to the respondent to purge her conduct, a visitation between the petitioner and the children, (on the same terms as set out in order dated 04.05.2026 passed in the present proceedings) shall take place on 16.05.2026 from 02.00 PM to 04.30 PM. The respondent is expected to cooperate and facilitate the same.

MAY 11, 2026/cl

SACHIN DATTA, J