



2026:DHC:4788



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 26.05.2026

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**CONT.CAS(C) 111/2024, CM APPLs. 50033/2024, 64480/2024,
73551/2024, 40538/2025, 32550/2026**

DEEPAK RELHAN

.....Petitioner

Through: Ms. Preeti Singh, Mr. Sunklan
Porwal, Ms. Sakshi Trivedi, Ms.
Anoushka Bajpai, Advs. along with
Petitioner-In Person

versus

NEHA RELHAN & ANR.

.....Respondent

Through: Mr. Prashant Diwan, Ms. Ishika
Jindal, Ms. Ishita Bansal, Advs. for
R1

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (Oral)****REVIEW PET. 220/2026 (For review of orders dated 15.04.2026 and
06.05.2026)****CONT.CAS(C) 111/2024**

1. The present petition has been filed by the petitioner alleging wilful disobedience/ non-compliance with the directions contained in the orders dated 02.12.2022, 08.02.2023, 03.05.2023, 24.05.2023, 01.06.2023, 12.07.2023 and 25.07.2023 passed by the learned Family Court, North-West, Rohini Courts in GP No. 109/2022.

2. *Vide* the said orders, various directions were issued by the Family Court from time to time, *inter alia*, as regards the visitation to be afforded to the petitioner qua the minor daughter born out of wedlock between the



petitioner and the respondent no.1.

3. During the pendency of the present petition, an order dated 21.03.2025 came to be passed by the Family Court which, after recording the factual background of the matter proceeds to direct as under:-

“7. In view of the above facts and circumstances, the custody of minor child needs to be transferred to the father/ petitioner in the best interest and welfare of the child. The mother/ respondent no.1 has consistently moved between different countries making it impossible to provide the child with stability. There is no record of the child’s schooling, raising serious concern about her education and development. Additionally, the mother previously lived in UK as per as a refugee which further highlights the instability of the child. She has also repeatedly violated the orders of this Court. The father/ petitioner has not been intimated since long as to where the child resides or whether she even attends the school, creating significant concerns about her well being. Furthermore, it has also been alleged by the petitioner that child is living with the respondent no.2 who has no relation with the child. In these circumstances, the interim custody of the child is transferred to the father/ petitioner to ensure the child’s safety, education and overall well-being in a stable environment. Petitioner is at liberty to seek help from the concerned authorities including MEA (Ministry of External Affairs)/ MHA (Ministry of Home Affairs)/ Ministry of Law and Justice/ Concerned Embassy.

4. In the above background, when the present petition came up for hearing on 15.04.2026, this Court was confronted with a situation where, during the pendency of the present petition, the Family Court had already directed that custody of the child be handed over to the father/ petitioner.

5. On 15.04.2026, this Court also took note of the fact that even visitation as mandated in terms of the various orders passed by the Family Court had not been afforded to the petitioner. Consequently, to prevent continued wilful disobedience of the orders passed by the Family Court and to ensure that the father/ petitioner is not continued to be deprived of interaction with the child, certain directions were issued. The relevant portion of the order dated 15.04.2026 passed by this Court are as under:-



4. Considering the circumstances, with the consent of the parties and without prejudice to the rights of the petitioner (as flowing from aforementioned order dated 21.03.2025), the following directions are issued:

- (i) There shall be a physical visitation of the petitioner with the child at the Delhi High Court Mediation and Conciliation Centre (DHCMCC) on every alternate day, between 04:30 to 06:30 PM, starting today itself i.e. 15.04.2026. For today (since it is already 6:00 pm), the visitation shall take place from 7:00 PM onwards.
- (ii) The respondent/ mother undertakes to facilitate the visitation as aforesaid and bring the child to the DHCMCC for the said purpose.

The visitation shall take place in the presence of a child counsellor. Further, the respondent/ mother shall not remain present during visitation. In case the visitation (as per the aforesaid arrangement), is to take place on a Sunday, the same shall take place in the Children's Room, Family Court, Patiala House between 02:00 to 04:00 PM.

(iii) The petitioner shall be entitled to interact with the child through Video Conferencing (VC) on the days when there is no visitation in terms of the above directions.

(iv) The aforesaid arrangement shall continue to subsist till 30.04.2026, or till the family Court decides the pending application/s filed by the petitioner seeking modification of the order dated 21.03.2025. The concerned Family Court is requested to expeditiously decide the said application/s. It is agreed that neither of the parties will seek any adjournment in the proceedings before the Family Court.

(vi) In case, the directions contained in the order dated 21.03.2025 are not modified, the custody of the child will necessarily be required to be handed over to the petitioner. Needless to say, the same shall be subject to the legal remedies of the respondent.



5. It is agreed that if there is any lapse on the part of the respondent in facilitating the visitation of the child in terms of the above directions, the same shall be construed as breach of the orders passed by this Court, and the same shall entail immediate handing over the custody of the child to the petitioner/father, in terms of the directions contained in the aforesaid order dated 21.03.2025.

6. It can be seen that the aforesaid directions were issued with the consent of the parties. The same were issued as an interim arrangement, considering that any abrupt implementation of the order dated 21.03.2025 (in terms of which custody of the child had already been directed to be handed over to the petitioner) may not have been apposite.

7. Thus, in the interest of the concerned child, the aforesaid directions were issued with the consent of the parties. On 06.05.2026, a minor modification was made to the aforesaid directions to address certain practical difficulties and it was directed as under:-

“5. In the meantime, visitation in terms of the order dated 15.04.2026 shall continue to take place except in respect of the following two novations:

a) the visitation shall take place once in every 3 days instead of alternate days.

(b) the visitation shall be exempted on the days when the concerned child has a scheduled examination in school. In such a situation, prior intimation shall be given to the petitioner, and an alternate day/ date shall be fixed for visitation.

8. In the circumstances, although visitation was facilitated in terms of the orders dated 15.04.2026 and 06.05.2026, the same was inherently without prejudice to the rights conferred on the petitioner *vide* order dated 21.03.2025 passed by the Family Court. While directing visitation *vide* the aforesaid orders dated 15.04.2026 and 06.05.2026, this Court also sought the



report of the child counsellor in respect of the said visitation.

9. This Court has perused the Child Counsellor's report dated 25.05.2026, wherein, the Child Counsellor has expressed a view that although there was an initial resistance towards the father/ petitioner on the part of the child, some slight improvement was observed during the last couple of sessions and the child gradually showed willingness to interact with her father.

10. The Review Petition dated 07.05.2026 has been filed objecting to the directions contained in the order dated 15.04.2026 and 06.05.2026, inasmuch as according to the Review Applicant, the same go beyond the scope of the orders of which contempt is alleged in the present proceedings.

11. In the overall facts and circumstances and considering that the respondent itself is not desirous of continuing with the visitation as mandated in terms of orders dated 15.04.2026 and 06.05.2026 and also taking into account that the said orders have largely served their purpose, further visitation in terms thereof is obviated. Consequently, the said arrangement as set out in the orders dated 15.04.2026 and 06.05.2026 shall no longer continue.

12. The Review Petition accordingly stands disposed of in the above terms.

13. The necessary implication of the aforesaid is that all orders passed by the Family Court, including the order dated 21.03.2025, shall be immediately enforceable. Let the same be enforced under supervision of the Family Court.

14. It can hardly be overemphasised that all subsisting orders of the



Family Court are required to be complied with by both the parties in letter and spirit. It shall be incumbent on the Family Court to ensure that its orders are immediately complied with/ enforced, without any delay whatsoever.

15. The aforesaid shall be without prejudice to the rights of either of the parties to pursue pending applications. However, mere pendency thereof shall not afford any justification for continued/ wilful disobedience of subsisting order/s.

16. Needless to say, in case any order/ direction of the Family Court is not complied with by either of the parties, the Family Court shall be entitled to make an appropriate reference for taking requisite action against the recalcitrant party under the Contempt of Courts Act, 1971. All rights and remedies of the parties in this regard are also reserved.

17. The petitions are disposed of in the above terms. Pending application/s also stand disposed of.

18. Order *dasti*.

SACHIN DATTA, J

MAY 26, 2026/uk