



2025:DHC:4533-DB



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

Date of decision: 28.05.2025

+ MAT.APP.(F.C.) 205/2025

NAMAN LAKHANPALAppellant

Through: Ms. Seema Seth and Mr. Satish
Panchal, Advs.

versus

VINEET KUMAR LAKHANPALRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 33835/2025 (Exemption)

1. Allowed, subject to all just exceptions.

MAT.APP.(F.C.) 205/2025 and CM APPL. 33834/2025

2. This appeal has been filed challenging the Order dated 17.05.2025 passed by the learned Judge, Family Court, New Delhi District, Patiala House Courts, New Delhi (hereinafter referred to as, 'Family Court') in Execution Petition, being Ex.No. 9/2025, titled *Vineet Kumar Lakhanpal v. Naman Lakhanpal*, directing the appellant to comply with the Order dated 17.05.2024 passed by this Court in MAT.APP.(F.C.) 215/2022, titled *Vineet Kumar Lakhanpal v. Naman Lakhanpal*, and at the same time, directing the respondent to pay the travel and stay expenses to the appellant herein in



accordance with the Order dated 31.05.2024 passed by this Court in CM No. 34431/2024, and the Order dated 06.12.2024 passed by this Court in Review Pet. 463/2024, filed in the abovementioned Matrimonial Appeal.

3. To give a brief background to the grievance raised by the learned counsel for the appellant, this Court by its Judgment dated 17.05.2024, while disposing of the Matrimonial Appeal filed by the respondent herein, had made arrangement with respect to the visitation of the children, *inter alia*, directing as under:

“26...

ii. The respondent shall bring the children to Delhi during their school summer vacations for a period of one week every year, beginning from June, 2024 this year.”

4. It was further directed that the respondent herein shall bear the round-trip expenses of the appellant and the children travelling by Shatabdi Express Train between Chandigarh and Delhi, and also make the arrangements for the stay of the appellant as well as of the children at a reasonably priced accommodation in Delhi. We reproduce these directions as under:

“26...

v. The appellant shall bear the round-trip expenses of the respondent and the children travelling by Shatabdi Express Train between Chandigarh and Delhi.

vi. The appellant shall make arrangements for stay of the respondent as well as that of the children at a reasonably priced accommodation in Delhi. The expenses for the said stay shall be borne by the appellant.”

5. The appellant then filed an application, being CM No.



34431/2024, seeking modification of the above Judgment dated 17.05.2024, praying that the respondent should be called upon to deposit a sum of Rs. 1,45,000/- for travelling, boarding and lodging to enable the appellant and her children to come and temporarily reside in Delhi from 16.06.2024 to 24.06.2024, in compliance with the Judgment dated 17.05.2024.

6. When the application was taken up for hearing on 31.05.2024, a submission on behalf of the learned counsel for the respondent was recorded that the respondent was not in a position to bear the expenses of a 'Three Star Hotel' and instead, the respondent offered that the period of visitation be reduced to three days instead of one week.

7. Considering the above submissions, on 31.05.2024, this Court passed the following directions:

"7. Accordingly, the application is disposed of with the following directions:

(i) The applicant/respondent will bring the children to Delhi on 16.06.2024. The children will be made available for interaction between 17.06.2024 and 19.06.2024.

(ii) The non-applicant/appellant, for the moment, will remit Rs.25,000/- to the applicant/respondent.

(iii) We make it clear that the aforesaid amount i.e., Rs.25,000/- will be remitted by the non-applicant/appellant within the next five (05) days. In case, the amount is not remitted, the leeway given for interaction will stand withdrawn.

8. Thereafter, the appellant filed the review petition mentioned hereinabove, contending therein that while the appellant was willing to travel to Delhi, she was apprehensive that the respondent might



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provide them with the accommodation which will not be commensurate with the standard of living to which the children are accustomed. Taking into account the above plea, this Court *vide* its Order dated 06.12.2024, directed as under:

“8. Even though the offer made by the appellant appears to be bona fide, we are of the considered view that in order to avoid any further disputes between the parties on this aspect, it would be more appropriate that the appellant pays a lump sum amount of Rs.25,000/- to the respondent for her bi-annual visit to Delhi with the children in terms of the impugned order. We may observe that the amount of Rs.25,000/- per trip is being fixed in consonance with the directions issued on 31.05.2024.”

9. The above Execution Petition was filed by the respondent, seeking enforcement of the Judgment dated 17.05.2024 passed by this Court.

10. The plea of the appellant is that if the Judgment dated 17.05.2024 is to be strictly complied with, the respondent would have to pay the entire expenses for the travel as well as the stay of the appellant and the children for a period of one week. She submits that the learned Family Court has, however, restricted such expenses to be paid to the appellant to only Rs. 25,000/-, as directed in the Orders dated 31.05.2024 and 06.12.2024 of this Court, without realising that the period of visitation/stay in Delhi had also been reduced by the said Orders to a period of three days. She submits that, therefore, either the respondent should be directed to pay further amount for the stay of the appellant and the children at Delhi, or the duration of the stay of the



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appellant and the children in Delhi for the visitation should be confined to only three days.

11. The learned counsel for the appellant submits that an advance copy of this appeal, along with the notice of its listing today, has been served to the learned counsel for the respondent by way of an e-mail. In support of this contention, she relies upon a copy of the e-mail dated 26.05.2025 placed on record as proof thereof.

12. In spite of this advance notice, none is appearing for the respondent.

13. We, find merit in the submissions made by the learned counsel for the appellant.

14. This Court *vide* its Order dated 20.06.2022, had directed the respondent to pay for the accommodation of the appellant and the children for the period of their stay in Delhi, which would not be less than that of a 'Three Star Hotel'. Thereafter, as the respondent expressed his inability to pay for the same, this Court, *vide* its Order dated 31.05.2024, reduced the period of visitation to three days, and at the same time, directed the respondent to pay a sum of Rs. 25,000/- as a lump sum for the stay of the appellant and the children at Delhi for the said period. This was continued in the Order dated 06.12.2024 of this Court. Therefore, if the respondent is to pay only Rs. 25,000/-, the period of visitation also has also to be confined to only three days.

15. We are informed that the appellant has already informed the respondent that she will be bringing the children to Delhi from 06.06.2025 to 08.06.2025, to ensure compliance with the visitation for three days, as had been directed in the Order dated 31.05.2024. The



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learned counsel for the appellant submits that in case the respondent wishes to have visitation for seven days, subject to payment of an additional amount, the appellant would be willing to grant visitation to him from 06.06.2025 to 12.06.2025.

16. As none is appearing for the respondent, we direct as under:
- a. The respondent, apart from the travel arrangement of the appellant and the children, shall pay a sum of Rs. 25,000/- to the appellant, as has been directed by the learned Family Court in its Order dated 17.05.2025;
 - b. The appellant, in turn, shall ensure that the respondent has visitation with the children from 06.06.2025 to 08.06.2025, in accordance with the directions of this Court in its Judgement dated 17.05.2024 read with the Order dated 31.05.2024;
 - c. In case the respondent is interested in extending the period of visitation to one week, as had been directed *vide* the Judgment dated 17.05.2024, the respondent shall pay a further amount of Rs. 35,000/- to the appellant with prior intimation to the appellant that she must extend her stay in Delhi;
 - d. Such intimation should be given by the respondent to the appellant within a period of two days of communication of this Order;
 - e. The respondent shall also make the payment of this additional amount in advance to the appellant as per the time schedule fixed by the learned Family Court *vide* its Order dated 17.05.2025;
 - f. In such event, the appellant shall ensure that the



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respondent has visitation with the children for a period from 06.06.2025 to 12.06.2025, which would be in compliance with the direction issued by this Court *vide* Judgement dated 17.05.2024;

g. As this order is being passed in absence of the respondent, in case the respondent has any grievance with the present order, it shall be open to the respondent to seek modification/recall of the same, in accordance with law. Such application, if filed in the vacations of the court, may be considered by the Vacation Bench.

17. With the aforesaid directions, the appeal along with pending application is, accordingly, disposed of.

18. A copy of this Order be also communicated to the concerned learned Family Court.

19. *Dasti.*

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 28, 2025

p/my/SJ

Click here to check corrigendum, if any