

**In The Court of Shivali Sharma**  
**Additional District Judge-03 (West)**  
**Tis Hazari Courts, Delhi.**

Suit No.CIS.NO:

Sonika Miglani vs Child Welfare Committee and another

**THROUGH WEBEX VIDEO CONFRENCING**

Date: 08.06.2020

Present: Shri Kapil Kumar , counsel for plaintiff

(Mobile number: 9899000831)

(E-mail ID: [kapil2kumar@gmail.com](mailto:kapil2kumar@gmail.com))

Ms Pammi Chauhan, Legal Advisor on behalf of defendant no.1/

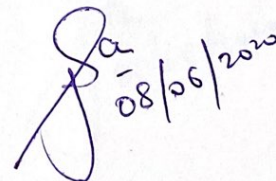
Child Welfare Committee (CWC)

(Mobile number:8800315490 )

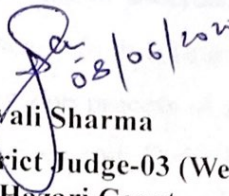
(E-mail ID: [cwc.ncc@gmail.com](mailto:cwc.ncc@gmail.com))

Asstt. Ahlmad Meenakshi has informed that she had contacted Ms Pammi Chauhan, Legal Advisor, on behalf of defendant no.1 in the morning on her mobile number 8800315490 and informed about the matter being taken up at 12.15 p.m., but no one has joined the meeting. The link for the meeting has already been sent to the email id of defendant/CWC yesterday. It is already 12.40 pm. Now, it is submitted by Asstt. Ahlmad Meenakshi that she had received a call from Ms Pammi Chauhan that she can join the meeting at 2.00 p.m. In view of the submissions made, matter is passed over till 2.00 p.m.

At this stage while I was dictating the order, Ms Pammi Chauhan has joined

  
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the meeting but due to network problem she seeks pass over till 2.00 p.m. At request, matter is passed over till 2.00 p.m.

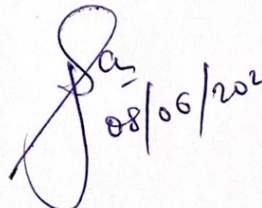
  
08/06/2020  
Shiyali Sharma  
Additional District Judge-03 (West)  
Tis Hazari Court

**At 2.00 p.m.**

Present: As above.

At this stage, it is submitted by Ms.Pammi Chauhan that she had spoken about the present case with the Chairperson, CWC and on behalf of CWC it is assured that till the time the present suit is disposed off the custody of minor child Ruhi @ Kyra shall not be taken from the plaintiff. It is admitted that the custody of the child was handed over to the plaintiff as foster care on 24.10.2014 and since then the child is in custody of the plaintiff. It is also admitted that as per the inspection made by CWC it has been found that the child is well taken care off. It is submitted that due to some procedural lapses timely process for obtaining the formal court order for the adoption could not be initiated. Ms Pammi Chauhan is directed to send an e-mail on behalf of defendant no.1 through a duly authorized representative on the e-mail ID of District Court [djwest.ddc@gov.in](mailto:djwest.ddc@gov.in) today itself giving the undertaking to this effect.

Present suit has been filed by the plaintiffs seeking a declaration that the child Ruhi@ Kyra is their legally adopted child. The suit is accompanied by an application u/O 39 R1 & 2 CPC thereby seeking an injunction thereby restraining CWC from taking back the custody of the minor female child from the plaintiffs

  
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during the pendency of the present suit. In view of the submissions made the interim application u/o 39 rule 1 & 2 CPC is disposed off in terms of undertaking given by defendant no.1 and defendant no.1/ CWC is restrained from taking the custody of the minor female child from the plaintiffs without due process of law and without intimation to the court till the disposal of the present suit. Defendant no.1 is directed to file the written statement within 30 days from today. Matter be put up before the concerned court/duty officer on 07.08.2020.

Copy of this order be uploaded on web site and be also sent on the e-mail ID of the counsel for the plaintiff and that of Defendant No. 1 by the filing section.

  
08/06/2020  
Shivali Sharma

Additional District Judge-03 (West)  
Tis Hazari Court