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

CNR No. DLHC010393342026

+ CM(M) 1863/2026, CM APPL. 56697/2026 (Interim Visitation rights) & CM APPL. 56698/2026 (Ex. From filing certified copies of annexures)

KESHAV GAUTAM ALIAS AMAN GAUTAM Petitioner

Through: Appearance not given

versus

DIVYA GAUTAM AND ORS Respondents

Through: Mr. Anubhav Gupta, Panel
Counsel (Civil), GNCTD with
Mr. Shaurya Tyagi, Advocate

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **21.08.2026**

1. The present Petition, filed under Article 227 of the Constitution of India, 1950, seeks the following reliefs:

“A. Set aside the order dated 04.08.2026 in CS 148/2025 passed by the learned Additional Principal Judge, Family Court, South-West District, Dwarka Courts, New Delhi to the limited extent whereby the Petitioner’s application seeking urgent hearing/preponement of his application for interim visitation has not been taken up urgently and the matter has been retained for 25.09.2026;

B. Direct the learned Family Court to take up and hear the Petitioner’s pending application for interim visitation on an urgent/priority basis and decide the same at the earliest, preferably before 25.09.2026;

C. Pending consideration of the Petitioner’s application for interim visitation by the learned Family Court, permit the Petitioner to meet his father, Sh. Rajender Gautam, by way of a limited and supervised visitation at his residence, as the case may be and such terms and conditions as this Hon’ble Court may deem fit and proper;



D. Direct that any visitation permitted pursuant to prayer (c) above shall be for such limited duration and under such supervision and safeguards as may be prescribed by this Hon'ble Court.

E. Direct the Respondents and all persons acting on their behalf to facilitate the visitation permitted by this Hon'ble Court and not to obstruct or interfere with the same, subject to the conditions imposed by this Hon'ble Court;

F. Direct the Respondents to communicate to the Petitioner any material change in the medical condition of Sh. Rajender Gautam or any hospitalisation requiring immediate medical attention, so that the Petitioner may seek appropriate access in accordance with law;

G. In the alternative, and without prejudice to the aforesaid prayers, direct the learned Family Court to take up and decide the Petitioner's pending application for interim visitation on an urgent basis before 25.09.2026;

H. Pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice."

2. The principal relief sought by the Petitioner, as is apparent, is for setting aside of the Order dated 04.08.2026 [***"Impugned Order"***] passed in CS 148/2025 by the learned Additional Principal Judge, Family Court, South-West District, Dwarka Courts, New Delhi, to the limited extent that the Petitioner's Application seeking urgent hearing/preponement of his Application for interim visitation was not taken up on an urgent basis and the said Application was directed to be heard on 25.09.2026.

3. Learned counsel for the Petitioner submits that there is an imminent apprehension of the demise of the Petitioner's father. However, upon a specific query from the Court, learned counsel is unable to place on record any medical document or other material substantiating such apprehension.

4. Learned counsel further submits that the Petitioner's father is presently in a vegetative state. Upon a pointed query as to the period for which he has been in such condition, learned counsel submits that



the Petitioner's father has been in such state for the past three to four years.

5. This Court has heard the learned counsel for the Petitioner and perused the Impugned Order. The Impugned Order reads as follows:

“... ”

In the present applications, no urgency has actually been disclosed by the applicants and the court is of the opinion that no urgent requirement has been produced by the applicants in the present applications, therefore, the applications cannot be heard at this stage. This is needless to mention that the matter is already listed for 25.09.2026 which is not too long a date.

This is also worth noting that the present court is burdened with a pendency of cases around 3,000 cases and the daily cause list varies from 60 to 80 matter per day and it is not at all possible to prepone such a matter wherein extended arguments are to be addressed by the parties, therefore, parties are advised to come up for arguments on the applications on date already fixed i.e. 25.09.2026.”

6. As is evident, the aforementioned Impugned Order is interlocutory in nature and records that the Main matter, along with the said Application, is listed for consideration on 25.09.2026. Today, being 21.08.2026, the matter is already listed in a period of approximately a month.

7. Further, in the absence of any medical document or other material substantiating the submission that the Petitioner's father is in imminent danger of demise, this Court is not inclined to grant the reliefs sought for in the present Petition.

8. In view of the aforesaid, the present Petition is dismissed.

9. The present Petition, along with all the pending Application(s), if any, is disposed of in aforementioned terms.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 21, 2026/rk/DJ