

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

CIVIL REVISION PETITION No.1726 of 2015

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed aggrieved by the order dated 19.11.2014 in I.A.No.630 of 2011 in O.P.No.1487 of 2010 on the file of the Judge, Family Court at Hyderabad.

The respondent herein is the wife of the petitioner. She has filed the aforesaid O.P., for a decree of divorce by dissolving the marriage performed between her and the petitioner on 05.12.2005 and for certain other reliefs. In the said O.P., the petitioner-husband filed the present I.A.No.630 of 2011, seeking visitation rights and interim custody of his child, whereas the respondent-wife filed I.A.No.631 of 2011 seeking interim maintenance of Rs.50,000/- per month towards school fee of her son and also her maintenance and also Rs.50,000/- towards legal expenses to contest the case. By common order dated 19.11.2014, the trial Court, while allowing both petitions in part, directed the petitioner-husband to pay Rs.15,000/- per month towards interim maintenance of the child from the date of the petition till disposal of the main O.P. and permitted him to see his son on 3rd Saturday and 3rd Sunday of every month between 2.00 p.m. and 5.00 p.m. at the house of the respondent or in case if he feels any difficulty in going to the house of the respondent to see his

son, he is permitted to see his son on every 3rd Saturday of the month between 2.00 p.m. and 5.00 p.m. in the office of the District Legal

Services Authority, City Civil Court, Hyderabad. However, the trial Court disallowed the request of the petitioner for interim custody of the child.

In this revision, it is submitted by learned counsel for the petitioner-husband that as the petitioner is working at Calcutta, he wants to visit his child on 1st Sunday of every month between 10.00 a.m. and 6.00 p.m., instead of 3rd Saturday and 3rd Sunday of every month as permitted by the trial Court, and, as such, seeks modification of the impugned order passed in I.A.No.630 of 2011.

Having heard learned counsel for the parties, I have perused the impugned order and other material available on record.

Since it is not in dispute that the petitioner is working at Calcutta, I deem it appropriate to modify the impugned order dated 19.11.2014 in I.A.No.630 of 2011 as under:

“ The petitioner is permitted to visit his son on 1st Sunday of every month and take him at 10.00 a.m. and handover him to the respondent at her residence by 6.00 p.m.”

Accordingly, the Civil Revision Petition is disposed of and the order under revision stands modified to the extent

indicated above. No order as to costs.

The miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

R.SUBHASH REDDY, J

03.07.2015

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