

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

FAO-2074-2015

Decided on : 04.12.2015

Bhupinder Singh Sandhu

.... Appellant

VERSUS

Rajpal Kaur @ Jaspreet Kaur and another

..... Respondents

CORAM: **HON'BLE MR. JUSTICE RAJIVE BHALLA**
HON'BLE MS. JUSTICE REKHA MITTAL

Present: **Mr.R.S.Sekhon, Advocate, for the appellant.**

Mr.P.S.Jammu, Advocate, for respondent No.1.

RAJIVE BHALLA, J. (ORAL)

The appeal came up for preliminary hearing on 15.10.2015. After hearing counsel for the appellant, the following order was passed : -

“The appellant challenges order dated 09.12.2014, passed by the Additional Civil Judge, Senior Division, Bathinda, dismissing his petition filed under Section 25 of the Guardian & Wards Act, 1890, for custody of the minor- Kanwarjeet Singh Sandhu.

We have heard counsel for the appellant, appraised the impugned order and find no reason to differ with the opinion recorded by the trial Court that the welfare of the minor lies with his mother.

At this stage, counsel for the appellant prays that instead of dismissing the appeal, the question of grant of visitation rights may be considered.

Issue notice of motion to the respondent on the limited question of visitation rights, for 30.11.2015.

The appellant shall pay Rs.15,000/- to the respondent on her appearance in Court.

Process dasti only.

A copy of this order be appended with the notice.”

A perusal of the aforesaid order reveals that while the appeal was dismissed on merits, notice was issued limited to the plea of visitation rights.

Counsel for the appellant states, on instructions, that if visitation rights are granted to the appellant, he would pay Rs.6,000/- per visit, to the minor child.

In view of statement made by counsel for the appellant, on instructions, the impugned order is modified in the following terms: -

1. Rajpal Kaur @ Jaspreet Kaur (respondent No.1) shall ensure the presence of the minor-Kanwarjeet Singh Sandhu on every third Saturday of each calendar month, between 2 PM to 4 PM, in the office of the Secretary, Legal Services Authority, Bathinda.
2. The appellant shall pay Rs.6,000/- to the minor, through his mother on each visit.
3. In case, the appellant does not come for the meeting on any date, the amount of Rs.6,000/- to be paid at the time of meeting, shall not be deemed to have been waived.

[RAJIVE BHALLA]
JUDGE

04.12.2015
shamsher

[REKHA MITTAL]
JUDGE