

In the High Court of Punjab and Haryana at Chandigarh

FAO No. 7529 of 2015
Date of Decision: 18.12.2015

Manoj Kumar

---Appellant

versus

Sudesh Kumari

---Respondent

Coram: Hon'ble Mr. Justice Rajive Bhalla
Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. D.K. Bhatti, Advocate
for the appellant

Mr. Pritam Saini, Advocate
for the respondent.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rajive Bhalla, J.

The appellant challenges order dated 18.9.2015 declining custody of the minor daughter of the parties as well as denial of visitation rights.

The appeal came up for preliminary hearing on 5.11.2015. After considering arguments address by counsel for the appellant, the following order was passed:-

“XXX XXX XXX

Counsel for the appellant, after seeking instructions from the respondent, states that let notice be issued on the plea

that the appellant, being father of the minor, should be granted visitation rights.

Issue notice limited to the plea of visitation rights, for 7.12.2015.

Process dasti.

The appellant shall pay Rs. 15,000/- as litigation expenses to the respondent.”

Counsel for the parties agree, on instructions from their respective parties, who are present in Court, that the impugned order as regards guardianship and custody may be confirmed but the appellant may be granted visitation rights, as this Court may direct.

We have heard counsel for the parties, considered their statements made on instructions from their respective parties and while affirming the order with respect to custody and guardianship of the minor (Umang) grant visitation rights to the appellant in the following terms.

1. The appellant shall be entitled to visitation rights on the first Saturday of each month starting from 2.1.2016 between 3-00 pm to 5-00 pm in the office of the Secretary, Legal Services Authority, Panipat.
2. The respondent shall produce the minor in the office of the Secretary, Legal Services Authority, Panipat on the first Saturday of each month between 3-00 pm to 5-00 pm.
3. The Secretary, Legal Services Authority, Panipat shall interact with the parties as well as the minor and make every attempt to ensure that a fruitful meeting takes place between

the appellant and the minor.

4. The appellant shall also ensure the presence of the minor son (Mukul) of the parties for interaction with his mother and sister.

The parties may, if the need so arises, approach this Court by way of appropriate application for modification of visitation rights.

Appeal stands disposed of accordingly.

(Rajive Bhalla)
Judge

(Rekha Mittal)
Judge

18.12.2015
PARAMJIT