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

+ **W.P.(C) 2787/2014**

DHARMENDER KAPOOR Petitioner
Through: Petitioner in person
versus

RUPA BOSE & ANR Respondents
Through: Mr. Monica Kapoor and Ms. Archana Chhibber, Advocate for R-1
Mr. Satyakam, ASC with Mr. Nikhil Bhardwaj, Advocate for the respondent no.2/GNCTD
Mr. Ashok Aggarwal, Ms. Ruchi Sindhwani and Mr. D. Rajshekhar Rao, Advocates – Committee Members appointed by Hon'ble Judge

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
13.10.2015

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1. Orders have been passed in this writ petition from time to time. As a matter of fact, an adhoc committee was constituted by this court on a direction being issued to that effect vide order dated 16.09.2014. The adhoc committee comprises of advocates of this court, namely, Mr. Ashok Aggarwal, Ms. Ruchi Sindhwani and Mr. D. Rajshekhar Rao.

1.1 The members of the committee have drawn my attention to the order dated 07.11.2014, whereby the petitioner / father was directed to deposit a sum of Rs.2 Lakh with the adhoc committee, which in turn, was directed to open a bank account in the name of the minor girl, Ms. Anchal Kapoor. This account was to be maintained with Delhi High Court Branch of the UCO Bank.

1.2 I am also informed that pursuant to directions issued from time to time, the minor child, Ms. Anchal Kapoor is, presently, studying in Colonel Satsangi's Kiran Memorial Public School, Satbari, Chhatarpur.

1.3 The petitioner / father, who is present in court, has reiterated his undertaking that he will bear the tuition fee and other expenses for the upkeep of the child both qua the school where she is presently admitted and also for her college education.

1.4 The petitioner / father has also indicated that funds will be provided for other necessary amenities for the upkeep of the child. These amenities, inter alia, would include food, clothing, transport, medical expenses and such like expenses.

2. The members of the adhoc committee have conveyed to me that since, the said sum of Rs.2 Lakhs was not utilized as the petitioner / father undertook the obligation to pay the tuition fee and other expenses, the said money could be converted into an interest bearing fixed deposit, in the name of the child, Ms. Anchal Kapoor, to be released to her on attaining age of majority.

2.1 I tend to agree with the suggestion put forth by the members of the Adhoc Committee. The Manager, UCO Bank, Delhi High Court Branch, is directed to act on the request of the Registrar General of this court, to convert, the amount available with it, into an interest bearing fixed deposit, with the condition that the amount, along with accrued interest, will be released to Ms. Anchal Kapoor on her attaining the age of majority.

3. Apart from the above, both the petitioner / father as well as respondent no.1 / mother seek to share visiting rights qua the child.

3.1 In so far as sharing of the company of the child, during her school

vacations is concerned, the petitioner /father and respondent no.1 / mother are agreed that the first half of every vacation will be spent in the company of the petitioner / father, while the remaining part of the vacations will be spent in the company of respondent no.1/mother.

3.2 In so far as the birthday of the child is concerned, the child will remain in the company of respondent no.1 / mother. However, respondent no.1/ mother will hand over the custody of child to the petitioner/ father to enable him to celebrate her birthday on the following day.

4. It is made clear, that if there is any difficulty in apportioning the vacation period, as between the petitioner and respondent no.1, they will approach the adhoc committee in the first instance.

5. In so far as the weekends are concerned, the child will spend alternate weekend, with each parent. First and third weekend of the month will be spent by the child with the petitioner/father while, the second and fourth weekend of the month will be spent by the child in the company of respondent no.1/mother.

6. In so far as the submission of respondent no.1/mother is concerned that she should be reimbursed a sum of Rs.25,000/-, a sum spent by her towards expenses incurred in commuting from her house to the child's school, it does not present much difficulty as petitioner no.1 has undertaken to pay a sum of Rs.12,500/- to respondent no.1 within four weeks from today, and the balance sum of Rs.12,500/- within twelve weeks from today.

7. Finally, it is the court's hope that the contesting parties hereon will not indulge in any *inter se* skirmish having regard to the best interest of the child. If there is any difficulty experienced by any of the parties, they will take up the matter, in the first instance, with the adhoc committee members.

If necessary, the adhoc committee members would be free to take up the matter, with the court, by moving an appropriate application.

8. Since, Mr. Satyakam, represents respondent no.2 /the Government of NCT of Delhi, the adhoc committee will also keep him informed of, further development in the matter. Respondent no.2/the Government of NCT of Delhi shall monitor the progress of the child while she is in school.

9. With the aforesaid observations in place, the captioned petition and the pending application are disposed of.

RAJIV SHAKDHER, J

OCTOBER 13, 2015

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