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

+ **MAT.APP.(F.C.) 85/2014**

CHANDER BHUSHAN SINGH & ANR

..... Appellants

Through: Mr.Rakesh Kumar, Mr.Prabhat
Kaushik, Mr.Maneesh Arora and
Mr.Chetan Dutt, Advocates.

versus

NEETU SINGH & ORS

..... Respondents

Through: Mr.R.S.Yadav, Advocate.

CORAM:

HON'BLE MR. JUSTICE KAILASH GAMBHIR

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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22.04.2015

Challenge in the instant appeal filed under Section 19(1) of the Family Courts Act, 1984 is to the impugned order dated 29.05.2014 passed by the learned Additional Principal Judge, Family Courts, Dwarka, New Delhi.

The present appellants were the petitioners before the said Court. They are the paternal grandparents of the minor child Ishan. Their only son Amar Singh had died on 01.09.2008 because of his ailment. He is survived by his wife Neetu Singh and a minor son, Ishan. After the death of Aman Singh, the custody of the minor child remained with Neetu Singh and the child's maternal grandparents. This child was born on 19.03.2008 and presently he is studying in 3rd standard in Indraprastha International School,

Dwarka. During the course of hearing of the present matter, both the parties have amicably settled their disputes. The appellants are present in Court. From the side of the respondents, respondent No.2 Ram Singh Yadav is present in Court. Respondent No.2 is the father of respondent No.1, Neetu Singh and respondent No.3 is the mother of respondent No.1 and wife of respondent No.2. In the terms of the compromise arrived at between the parties, they have settled their disputes in terms of the following:

- (i) Both the parties have agreed that Master Ishan will continue with his studies at Indraprastha International School, Dwarka and change of school, if required, before 12th Standard, shall be with the consent of both the parties.
- (ii) That the appellants will shift their residence from Bihar to a place near the residence of the respondents within a period of six months.
- (iii) That the appellants have agreed to incur all the educational expenses of the child till the completion of his entire education.
- (iv) That after the appellant shifts to Delhi, endeavour would be made by the respondents to arrange meetings of the child with the appellants so that the child can develop a comfort level with them and thereafter it would be left to the wishes of the child to have frequent stays with the appellants and likewise with his mother as and when he so wishes.
- (v) That the parties hereto will not compel the child or impose their wishes with regard to the preference to be exercised by him for his stay.
- (vi) That after the child develops a comfort level with the appellants and starts liking them, then if the grandfather wants to take him out of Delhi, though it will be for some short period, then for that purpose

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the appellants shall inform the respondent No.2 about the place of visit of the child and the duration of the visit.

If both the parties stay with them they shall remain bound by the terms of the aforesaid settlement and they shall not deviate therefrom. They also state that they will make every endeavour to take every care of the day-to-day needs of the child so that at any stage he does not have the feeling that he is not getting proper attention of the parties hereto in the absence of his father or even in the absence of his mother.

In the light of the aforesaid settlement arrived at between the parties, counsel for the appellant on instructions seeks leave to withdraw the present appeal.

The present appeal filed by the appellant is accordingly dismissed as withdrawn and the impugned order passed by the Family Court is affirmed. Ordered accordingly.


KAILASH GAMBHIR, J


L.S. MEHTA, J

APRIL 22, 2015

'dc'

Ram Singh Yadav (R-2)

22.4.2015

For all Respondents

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Identified Chandra Bhusan Singh

Maneesha
09371169

3-3-2015
Adv. for
Appellants.