

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 534 of 2016

- Bhupendra Sahu S/o Shri Shatrughan Sahu, Aged 30 Years R/o Village Julum, Post Tekari, P.S. Sejbahar, Distirct Raipur Chhattisgarh

---- Petitioner

Versus

- Smt. Prabha Sahu @ Digeshwari Sahu D/o Shri Ashok Sahu, Aged About 27 Years R/o Village Nayapara, Deendayal Uapdhyay Nagar, Tah Abhanpur, P.S. Gobra Navapara, District Raipur Chhattisgarh

---- Respondent

For Petitioner

Mr. JK Gupta, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

7/9/2016

1. Heard.
2. The impugned order has been passed by the Family Court directing the petitioner to hand over the baby girl to the respondent in furtherance of the consent order passed by the Family Court on 04.07.2016.
3. Learned counsel for the petitioner would not dispute that a settlement was arrived at between the parties whereupon an interim order was passed on 04.07.2016 and further that the petitioner desires to comply with the order, however, the baby

girl is not willing to reside with the mother i.e. respondent, therefore, the application was moved by the respondent for compliance of the order.

4. In the considered opinion of this Court, the consent order cannot be assailed in superior Courts in view of the statutory provision under Section 19(2) of the Family Courts Act, 1984.
5. There is no substance in the writ petition, it fails and is hereby dismissed.

Sd/-

Judge

(Prashant Kumar Mishra)

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