

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 4 of 2014

1. Ramesh Kumar Agrawal And Anr. S/o Lakhichand Agrawal Aged About 53 Years, Occupation-Business, R/o Punjab Rice Mill, Ramsagarpara, Raipur, P.S. Azad Chowk, Distt. Raipur C.G.
2. Smt. Uma Agrawal W/o Ramesh Kumar Agrawal, aged about 51 years, R/o Punjab Rice Mill, Ramsagarpara, Raipur, P.S. Azad Chowk, Distt. Raipur C.G.

---- Appellants

Versus

1. Smt.Punam Agrawal, w/o Shri Natwar Agrawal, aged about 29 years.
2. Minor Shivans Agrawal, S/o Late Niranj Agrawal, aged about 7 years
Minor, Through- Mother Punam Agrawal.

Both are R/o through- Natwar Goyal, Balaji Auto-mobiles Magarpara, T.V.S. Agency Bilaspur, P.S. Civil Line, Bilaspur, Civil & Revenue Distt. Bilaspur (CG)

---- Respondents/Defendant

For Appellants	:	Shri Sunil Sahu, Advocate.
For Respondents	:	Shri MPS Bhatia, Advocate.

Hon'ble Shri Justice Pritinker Diwaker
Hon'ble Shri Justice R.C.S. Samant

Order On Board

P. Diwaker, J

14/12/2016

1. This appeal arises out of the judgment dated 7.11.2013 passed by the Family Court, Bilaspur in MJC No.29/2012 dismissing the application filed by the appellants herein under Sections 25 & 10 of the Guardian & Wards Act, 1890 seeking custody of respondent No.2 herein.

2. On the request of learned counsel for the parties and considering the chances of amicable settlement between the parties, as per provisions of Section 89 of CPC, vide order dated 24.6.2015 the matter was referred to the Mediation Centre where the parties have amicably settled their disputes and differences and the same has been reduced in writing vide compromise deed dated 27.11.2016, as reported by the Secretary, Committee for Monitoring the Mediation Centre. This deed has been signed by both the parties and the Mediator, according to which, the respondent No.1 has agreed to send the respondent No.2 to the house of appellants on occasions and during the vacations in summer, spring & winter and on expiry of agreed period, the appellants shall hand over the custody of the child back to the respondent No.1.
3. Today, counsel appearing for both the parties submit that in view of compromise arrived at between the parties now nothing remains in this appeal and it may be disposed of.
4. In view of above, the appeal stands disposed of. However, it is expected from the parties that they will provide healthy atmosphere to the minor child so that he may grow up in a normal balanced manner to be useful member of the society. Such healthy growth of his mind will not project him in later life as the product of a broken home and he will be able to carry himself in the society with healthy attitude in life.

Sd/-
(Pritinker Diwaker)
Judge

Sd/-
(RCS Samant)
Judge

roshan/-