

**HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO**

**C.R.P. No.4585 OF 2016**

**ORDER:**

The Civil Revision Petition is filed impugning the docket order dated 02.06.2016 passed in I.A. No.105 of 2015 in the pending O.P. No.430 of 2014 on the file of Judge, Family Court, City Civil Court, Hyderabad, filed by respondent herein under Sections 7 & 10 of Guardians and Wards Act read with Section 7 of the Family Court Act in the matter of three minor children against petitioner herein. The docket order reads as under:

“Costs paid.

Heard.

In view of the representations of both the parties and their respective counsel, the petitioner is permitted to visit the children in the presence of the respondent on every second Saturday and on Fourth Saturday between 2.00 pm and 5.00 pm.

The Respondent/ husband is directed to produce the children before the Court to enable the Petitioner/Wife to spend the time with the children”

2) Learned counsel for the revision petitioner reiterated the contentions in the grounds of revision vis-à-vis oral submissions that, the respondent (husband) to I.A. No.105 of 2015 is not properly implementing said docket order by threatening the children and warning them not to talk with the revision petitioner and children are afraid of him and the purpose of visiting is not surviving thereby.

3) Whereas it is the submission of the learned counsel for respondent that they are implementing the order and the allegation is unsustainable and the revision is liable to dismissed.

4) Heard both sides. Perused the material on record.

5) It is needless to say, the lis is not prone to revision to sit against the order, which is even according to her in her favour but for implementation difficulty. As per the settled expressions of the Apex Court as custody matters are sensitive, involving delicate human relationship touching the feelings and emotions and thereby, never become final including the interim custody or visiting rights and in the paramount consideration of welfare of the children and keeping in mind the emotions and sentiments of the parents/ guardian. Thus, liberty is given to the petitioner to approach the lower Court to pass any necessary orders to take care for proper implementation of the orders and to serve the purpose of the visiting rights, if necessary by passing modified orders for the visiting rights in an effective manner. It is needless to say any non-implementation of the orders is open to have recourse to Section 21 to 25 of Guardians and Wards Act, 1890.

6) Accordingly and with above observations, the revision is disposed of. No order as to costs.

7) Consequently, pending miscellaneous petitions, if any, shall stand dismissed.

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**Dr.JUSTICE B. SIVA SANKARA RAO**

Dt.22.11.2016  
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