

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION NO.1709 OF 2014

ORDER:

The petitioner is petitioner in O.P.No.194 of 2013 on the file of the Additional Family Court, Hyderabad.

O.P.No.194 of 2013 was filed under Section 12 of the Guardian and Wards Act for the custody of the minor child of the petitioner. In the said petition, he filed I.A.No.189 of 2013 and after considering the facts and circumstances of the case, the learned Judge, Additional Family Court, Hyderabad, passed an order on 23.01.2014 as under.

"In the result, petition is allowed in part. The respondent and her parents are directed to produce the child on every third Saturday of a month from 2.00 PM to 5.00 PM till disposal of main OP at the office of District Legal Service Authority, City Civil Court Complex, Hyderabad for visiting rights of the petitioner and his parents. The petitioner and his parents can share their love and affection towards the child and they can offer gifts and clothes to the child. Copy of this order shall communicate to the Secretary, District Legal Service Authority, City Civil Court Complex, Hyderabad for favour of information."

A counter affidavit is filed by the GPA holder of the respondent stating that in pursuance of the said orders of the Family Court, though he produced the minor child before the Secretary, Legal Services, City Civil Court, Hyderabad on 15.03.2014 and has been continuing to produce the child till 21.11.2015, the petitioner was not available. He further states that he produced the child for fourteen (14) times and the petitioner never came to the spot in compliance of the orders of the learned Judge, Family Court.

In spite of the said counter, no rejoinder is filed by the petitioner.

In the facts and circumstances of the case, since the order passed by the learned Judge, Family Court, is a discretionary order, this Court is not inclined to interfere with the said order by expressing its opinion in one way or the other. However, the learned Judge, Family Court, shall endeavour to dispose of O.P.No.194 of 2013, as

expeditiously as possible, but not later than 30.06.2016.

The Civil Revision Petition is, accordingly, dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand dismissed.

(A.RAMALINGESWARA RAO, J)

21st January 2016

RRB