

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.2290 of 2016

Date of Decision.31.03.2016

Gurpreet Kaur

.....Petitioner

Vs.

Sukhjinder Singh

.....Respondent

Present: Mr. Gaurav Chopra, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ? Yes
2. To be referred to the Reporters or not ? Yes
3. Whether the judgment should be reported in the Digest? Yes

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K. KANNAN J. (ORAL)

1. The petitioner is aggrieved that the Court has allowed for visitation right to parent after nearly 14 years of separation without even adverting to the child's intelligent preference. A child, who has been emotionally distanced from the father for all the years, ought to have an occasion to bring himself in approximate relationship to his father. If the Court has allowed that beginning to happen through a visitation right granted, I am sure it ought to be tried out. It will be wrong to put an apprehension at the forefront that the child might not like to face the father or would be traumatized by seeing the father. The mother shall play a responsible role to ensure that the transition for a child's separation from the father is brought out smoothly and makes the meeting eventful for the child instead of being a matter of trauma for the child. If there is any difficulty, the party will approach the Court again for appropriate assistance to make meeting possible in the court

premises at the ADR centre in conducive atmosphere. I will not anticipate any difficulty at present and I will not also confront in my order a situation of what the counsel wants me to see that if there is problem of the child meeting with the father, there shall be a window open for the person to approach the Court again. The access to justice includes an easy approach to Court to secure what is appropriate. No order in custody proceedings is a final order in itself and it is always open to changes and modification. It will be tested on the welfare criterion for the child. If any situation warrants a Court's intervention again on particular facts brought before the Court, the Court will modify the order or give appropriate direction in the manner in which the situation warrants.

2. The order is maintained and the revision petition is disposed of with the above observations.

(K. KANNAN)
JUDGE

March 31, 2016
Pankaj*