

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 55 of 2016**

- Manoj Somnani S/o Shri Hundal Das Somnani, Aged About 36 Years R/o Sindhi Colony Bilaspur, Tehsil And District Bilaspur, Chhattisgarh

---- Appellant**Versus**

- Smt. Bishakha Dey W/o Shri Manoj Somnani, Aged About 34 Years D/o M.G. Dey, R/o Mitra Vihar Link Road, Police Station Civil Line Bilaspur, Tehsil And District Bilaspur, Chhattisgarh

---- Respondent

For Appellant	:	Shri Sushil Sahu, Advocate
For Respondent	:	Shri Varun Sharma, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board By**Prashant Kumar Mishra, J****20/03/2017**

1. Appellant is the father of the minor son Kunal, presently aged about 7 years. He is aggrieved by the order passed by the Family Court, Bilaspur, rejecting his application for grant of custody of the minor son under the provisions of the The Hindu Minority and Guardianship Act, 1956 (for short 'the Act, 1956').
2. The matter was referred to the mediation center for finding out an agreeable solution to the parties, however, unfortunately one of the parties could not attend the proceedings before the mediator as the respondent was confused about the date when the proceeding was undertaken by the mediator.

3. When the matter was taken up on 11.01.2017, both the parties were directed to remain present before the Court. Today the appellant Manoj Somnani and respondent Smt. Bishakha Dey are present with their respective counsel.
4. Respondent Smt. Bishakha Dey, mother of minor Kunal would agree for handing over possession of the son in the custody of appellant Manoj Somnani. The appellant would also agree to obtain possession and custody of minor son Kunal. Though the appellant would raise some issue as to why the respondent was not earlier agreeing for handing over custody of the son but in this proceeding under the Act, 1956 we are not concerned about what had happened earlier because as earlier recorded, both the parties have agreed to a amicable solution/settlement.
5. Let the respondent hand over custody of the minor son Kunal tomorrow in the mediation center of the High Court in the presence of mediator, before whom the mediation proceedings were earlier held.
6. In view of the above, the appeal is finally disposed of.

Sd/-

Sd/-

Judge

Prashant Kumar Mishra

Judge

Rajendra Chandra Singh Samant