

**THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

C.M.A No.674 of 2016

JUDGMENT: *(Per Hon'ble Sri Justice Suresh Kumar Kait)*

After some arguments, counsel for appellant on instructions from the appellant, who is present in person, seeks permission to withdraw the present appeal subject to the condition that let the minor child—Master Jaya Saswath be remained with her upto 19.03.2017 due to examination of 5th standard of the said minor son.

2) It is submitted on behalf of appellant that, as per the visitation rights granted to the appellant by the Court below i.e, two days in a month at the place of the respondent or at her convenient place, she being woman has to travel alone for that purpose and therefore, an escort travelling charges and other incidental expenses may also be directed to be paid by the respondent.

3) The respondent, who is personally present in Court, has agreed as prayed by the appellant and submits that he is ready to bear all the expenses as directed by the Court below and in addition, he is ready to bear all expenses of the escort male/female except respondent No.2 in CMA No.300 of 2016.

4) For the sake of convenience, we made it clear that the appellant shall handover the child to the respondent on 19.03.2017 at 10:30 am in Bapatla, Guntur District at the residence of Swamy, who is uncle of the appellant.

5) We further make clear that the respondent shall not create any problem or inconvenience to the appellant while visiting the minor child. If the appellant faces any inconvenience in the arrangements made by the respondent, she shall convey by SMS on his mobile phone and the same shall be taken care of immediately. As agreed by the respondent, he shall bear all the expenses of the escort (except the respondent No.2 in CMA No.800 of 2016) as well as the appellant herein.

6) We hereby make clear that after two years from today, if any of the minor child makes any complaint to the appellant regarding any type of problem while staying with the respondent, liberty is granted to the appellant to move an application and that will be considered by the concerned Court on merits.

7) We further make it clear that all the other terms and conditions as imposed by the Court below shall remain in force.

8) In view of the above, the present appeal is disposed of. No costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

U.DURGA PRASAD RAO, J

Date: 09.02.2017
scs