

231 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-4188-2016

Date of decision : January 11, 2017

Navjot Kaur

...Appellant

VERSUS

Ram Singh

...Respondent

**CORAM: HON'BLE MR. JUSTICE M.JEYAPPAUL
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present : Mr.Aayush Gupta, Advocate
for the appellant.

M.JEYAPPAUL, J.(ORAL)

Respondent-Ram Singh filed a petition under Section 25 of the Guardian and Wards Act seeking custody of the minor female child Avneet Kaur born out of the wedlock with the appellant Navjot Kaur. The trial Court dismissed the plea for custody, but granted only visitation rights to the respondent. The operative portion of the impugned judgment passed by the trial Court reads that the appellant shall permit the respondent to have access to the minor child Avneet Kaur once in a month i.e. on the 4th Sunday between 1.00 p.m. to 4.00 p.m. The trial Court also cautioned the respondent that in case the child expressed no interest in meeting the respondent for one or two occasions, the respondent should not press it hard.

Aggrieved by the visitation rights afforded to the respondent herein, the appellant has preferred the present appeal.

We issued notice to the respondent in the appeal. Respondent appeared today. He produced the Aadhar Card showing his identity. A Xerox copy of the Aadhar Card was placed on record. He submitted that he was not interested to exercise the visitation rights afforded by the trial Court. We insisted him to file an affidavit adverting to his stand that was taken before this Court. We also requested Ms. Balpreet Sandhu, Advocate, who was present in the Court, to assist respondent-Ram Singh to draft the affidavit. The affidavit sworn to by the respondent reads that the respondent gives up the visitation right which was granted to him vide impugned judgment passed by the trial Court.

In view of the above development in this case, we have no other option except to allow the appeal setting aside the visitation right which was granted by the trial Court to respondent-Ram Singh.

Accordingly, the appeal stands allowed as prayed for.

(M. JEYAPPAUL)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

January 11, 2017

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Whether Speaking/Reasoned	Yes
Whether Reportable	No