

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1149 of 2018**

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Sapna Verma

.... Appellant/s

Versus

Subhash Chandra Verma

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan

For the Respondent/s : Mr. J.S. Arora, Sr. advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 24-08-2018 Heard Mr. Tribhuwan Narayan, learned counsel

appearing on behalf of the petitioner, and Mr. J.S. Arora, learned

senior counsel for the respondent.

The petitioner/wife has filed this petition against the
order dated 13.07.2018 by which the learned Principal Judge,
Family Court, Kaimur at Bhabua directed the petitioner to bring
the minor children to the Court on 18.07.2018 so that the custody
of the children would be handover to the father of the children for
their appearance in examination on 19.07.2018, 20.07.2018 and
21.07.2018.

At the outset of the argument, Mr. J.S. Arora,
learned senior counsel for the respondent, submits that vide order
dated 18.07.2018, the order dated 13.07.2018 has already been
recalled and the case is posted for hearing on the petition of the
custody of the children. The learned counsel for the respondent



further submits that the respondent undertakes not to press any petition for interim custody of the minor children.

On the other hand, the learned counsel for the petitioner submits that since the respondent is son of a retired Additional District and Sessions Judge, the Principal Judge has shown undue hurry in giving custody of the minor children who are aged about four and five years respectively. The petitioner herself is competent to look after the children.

Taking into consideration the facts aforesaid and the undertaking given by the respondent, this Civil Misc. petition is disposed of with a direction to the Principal Judge to decide the petition of guardianship within six months in accordance with law after hearing both sides.

(Prabhat Kumar Jha, J)

BKS/Rajan

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