

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

110

CR No.4064 of 2018 (O&M)

Date of decision:21.12.2018

Gurpreet Kaur

... Petitioner

versus

Vikas Sood

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.A.K.Lambharia, Advocate,
for the petitioner
Mr.Vikas Sood, respondent in person

...

AMOL RATTAN SINGH, J. (Oral)

Pursuant to the order of this Court dated 13.12.2018, a report of the learned trial Court (Additional Civil Judge, Senior Division, Chandigarh), has been received, stating to the effect that 'a meeting was conducted with the child' in the retiring room of the learned Presiding Officer, with the child 'well oriented, conscious and aware of the surroundings'. She is also stated to have given rational answers to the questions pertaining to her daily routine and schooling. On the learned trial Court putting a specific query to the child, she is stated to have replied that she wants to spend time with her mother.

Hence, the learned Additional Civil Judge has opined that the child has no problem on spending weekends with her mother at the mothers' home.

Again today, learned counsel for the respondent is not present but the respondent has again appeared in person and upon this Court observing that in view of the aforesaid report and the fact that obviously

nothing untoward happened upon the child having been taken to the home of the petitioner (mother) on the last weekend, and that she should be allowed to go on every weekend, the respondent submits that since he is a working person, he too should be allowed to spend some time with the child on alternate weekends.

That request is considered genuine and consequently it is directed that during the pendency of the petition filed by the present petitioner under the Guardians and Wards Act, 1989, before the learned trial Court, during the coming winter vacation, i.e. w.e.f. 22.12.2018 to 6.1.2019, the child would remain with the father, i.e. the respondent, from 22.12.2018 to 29.12.2018, and with the mother, i.e. the petitioner, from 30.12.2018 to 6.1.2019.

Thereafter, while the petition before the learned trial Court subsists, the child would spend every alternative weekend at the houses of the petitioner and the respondent, with that Court, of course, on the dates fixed by it for hearing, each time assess the situation as regards the willingness of the child to go to the mothers' home during the pendency of that petition, with both the parties naturally directed by this Court to ensure that the child's mind is not poisoned against the other party, during the time that she spends with either.

Obviously, monitoring of what is said to the child in either home cannot even begin to be commented upon by this Court, but the trial Court would ensure that if there seems to be any kind of tutoring of the child on each time that the Court meets with her, appropriate steps are taken by that Court against the party violating this order.

Learned counsel for the petitioner submits that the mother should also be allowed to attend the parent teacher meetings held in the school of the child.

That request is rather strange, because unless the school itself is not allowing either of the parents to come for the parent teacher meeting, either party, i.e. the father or the mother, cannot stop the other from attending the meeting, it being a parent-teacher meeting and not a “father/mother meeting”. Naturally therefore, both the parents would be allowed to attend the parent teacher meeting.

The petition is disposed of accordingly.

21.12.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes