

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

(218)

FAO-8545-2014 (O&M)

Date of Decision: August 16, 2018.

Zeenat Aman

.... Appellant

Versus

Rani

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. G.S. Sandhu, Advocate, for the appellant.

Mr. M.S. Dhami, Advocate, for the respondent.

M.M.S. BEDI, J (ORAL)

Vide judgment dated 04.08.2014 passed by Additional Civil Judge, (Senior Division), Balachaur, petition under Sections 7, 8 and 25 of the Guardians and Wards Act to appoint the respondent Rani as guardian of Mohammad Sameer son of late Anwar Ali, born to appellant Zeenat Aman on 16.02.2007, was allowed restraining the appellant from taking illegal and forcible custody of minor Mohammad Sameer from the custody of respondent. Besides this, the counter claim raised by the appellant seeking the custody of the child, was dismissed.

The present appeal has been filed seeking the custody of the minor child as well as for setting aside the judgment passed in favour of the respondent pertaining to the injunction against the appellant.

When the appeal was taken up for consideration regarding the right of the mother to visit the child or to seek the custody, counsel for both the parties submit that they have got instructions to state that the respondent has got no objection in case the appellant is granted visitation rights to meet the child twice in a month.

Counsel for the appellant has submitted that at this stage he has

got instructions to abandon the remaining rights except for the right to visit and meet the child.

Counsel for the respondent has submitted that he has got instructions to state that the respondent will have no objection in case the appellant is permitted to meet the child twice in a month.

In the light of above submissions, an agreed order can be passed to the effect that appellant-mother Zeenat Aman will be permitted to meet minor child Mohammad Sameer, born out of her wedlock with deceased Anwar Ali on 1st and 3rd Saturday of every month from 10:00 AM to 04:00 P.M at Balachaur in the house of respondent Rani.

The appeal is disposed of with a direction that the appellant will be permitted to meet minor child Mohammad Sameer, born out of her wedlock with deceased Anwar Ali, on 1st and 3rd Saturday of every month from 10:00 AM to 04:00 P.M at Balachaur in the house of respondent Rani.

It is further made clear that in case of non-compliance of the order, it will be open to any of the parties to approach this Court by filing an application under Section 43 of the Guardians and Wards Act which permits the Court to regulate the conduct of the parties for the welfare of the minor child.

Miscellaneous application i.e. CM-23394-CII-2014 is also disposed of accordingly.

(M.M.S. BEDI)
JUDGE

August 16, 2018
harsha

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No