

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-5917-18-CII-2018 in/and
FAO-9373-2014 (O&M)
Date of Decision:- 21.3.2018

Vikas Kumar

... Appellant

Versus

Shikha

... Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Arvind Bansal, Advocate for the appellant.

M.M.S. BEDI, J.

Aggrieved by dismissal of his petition under Section 25 of the Guardian and Wards Act, 1890 for custody of the minor child Master Saket alias Shivang vide judgment dated 5.8.2013, the appellant-husband had preferred this appeal claiming that he was in a better status financially than the respondent-wife warranting the shifting of the custody of minor child Master Saket alias Shivang from respondent-wife to appellant-husband.

During pendency of the appeal, the appellant-husband had been granted visitation rights. Vide order dated 9.5.2016, the appellant-husband was required to show his *bonafide* by depositing a sum of ₹ 5 lacs in the name of his son, Master Saket alias Shivang to exercise his visitation rights.

Through instant miscellaneous application No. CM-5918-CII-2018, a request has been made by the appellant-husband for withdrawal of the appeal and for disbursal of the amount deposited by him in the name of his son, Master Saket alias Shivang, pursuant to order dated 9.5.2016.

The amount deposited with the bank pursuant to the interim directions issued by this Court in the name of the minor child Master Saket alias Shivang can be returned to the appellant-husband, as he is withdrawing the appeal. Ordered accordingly. The interest accrued on the said amount will, however, be disbursed to the son of the appellant-husband i.e. Master Saket alias Shivang.

Dismissed as withdrawn with abovesaid observations.

(M.M.S. Bedi)
Judge

21.3.2018
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No