

\$~36

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 342/2018

M

..... Petitioner

Through: Dr. Harish Uppal and Mr. Tileshwar
Prasad, Advocates

versus

N

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **23.03.2018**

C.M. Appl. 11613/2018

1. Allowed, subject to just exceptions.

C.M. (M) 342/2018 & C.M. Appl. 11614/2018

2. The petitioner has challenged the order dated 17th March, 2018, whereby the learned Family Court has dismissed the petitioner's application seeking permission to take the minor daughter, Manasvini to Jim Corbett Park from 28th March, 2018 to 31st March, 2018.

3. This Court is not inclined to interfere with the impugned order in exercise of jurisdiction under Article 227 of the Constitution. This court is of the view that since the case relating to custody and visitation rights is still pending before the Family Court, it would be appropriate for the petitioner to file an application for overnight custody of the minor child after the decision of the custody and visitation rights.

4. The petition is, therefore, dismissed. Liberty is given to the petitioner to file fresh application after the decision of the Family Court on the

custody/visitation rights.

5. Copy of this order be given *dasti* to counsel for the petitioner under signatures of the Court Master.

J.R. MIDHA, J.

MARCH 23, 2018

rsk