

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

FAO-5753-2018 (O&M)
Date of Decision: 10.05.2019

Vikram

. Appellant

Vs.

Shakuntla Devi and others

. Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE HARNARESH SINGH GILL

Present: - Mr.Vivek Khatri, Advocate,
for the appellant.

Mr.Abhinav Sood, Advocate,
for the respondents.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal is directed against the judgment and decree dated 16.8.2018 by which a petition filed under Section 25 of the Guardians and Wards Act, 1890 [for short 'the Act'] by respondent No.1 has been disposed of and allowed respondent No.1 to meet the child on the third Saturday of every month and also on Diwali and Holi as well as on his birthday in the chamber of her counsel and in the presence of counsel for both the parties. It is also observed therein that she can meet the child on prior intimation of at least 3-4 days to the counsel for both the parties as well as the appellant herein.

The appellant, who is the father of the minor child, namely, Nuraan, has submitted that at present Nuraan is studying in 5th Class in SelaQui International School, Dehradun. It is also submitted that it is a boarding school and the fee of the school is ₹8,20,000/- per year. It is further submitted that because the minor is studying in a boarding school and would

not be in a position to come to Hisar on third Saturday of every month to meet respondent No.1 and also there would be a difficulty for the minor to be present in the chamber of the counsel at Hisar on Diwali, Holi and on his birthday, therefore, he has prayed that respondent No.1 may meet the child on third Saturday of every month in the school of the child at Dehradun and also if he is available in school on festivals i.e. Diwali and Holi as well as on his birthday only if the child is ready to meet with respondent No.1.

The suggestion made by counsel for the appellant is accepted by the learned counsel for the respondents and in view thereof, the present appeal is hereby disposed of after modification of the order.

(RAKESH KUMAR JAIN)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

10.05.2019

Vivek

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*