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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1596/2019**
VINEET TANEJA

..... Petitioner

Through: petitioner in person.

versus

RITU TANEJA

..... Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **20.01.2020**

CM Nos. 2174/2020 & 2175/2020 (Exemptions)

Allowed, subject to all just exceptions.

CM No. 2173/2020 (Delay)

This is an application seeking condonation of 10 days delay in filing of the Review.

For the reasons stated in the application, the delay is condoned and the application stands allowed.

REVIEW PET. 16/2020

This petition has been filed seeking review of the order dated 08.11.2019 passed by this Court disposing of the above petition filed by the petitioner. It is stated in the application that one of the grounds of challenging the Impugned Order dated 30.09.2019 was the rejection of the application seeking overnight custody of the minor daughter of the petitioner. It is submitted that there is no finding recorded on the said issue

in the order dated 08.11.2019 passed by this Court.

I must first note that the order dated 08.11.2019 was passed in open Court and in presence of the counsels for the parties and after considering all the submissions made by the counsel for the petitioner during the course of the oral arguments. No argument was made with respect to the overnight custody of the child. This, in my opinion, would be a sufficient ground for the rejection of the present Review Petition.

Even otherwise, the learned Principle Judge (South), Family Courts, Saket as given reasons for rejecting the application of the petitioner for grant of overnight visitation rights. The learned Principle Judge has relied upon the interaction with the child by the earlier Principle Judge as well as his own interaction with the child on 07.09.2019.

The petitioner who appears in person submits that though a reference has been made to the videography placed in form of a pen drive before the learned Principle Judge pursuant to the order dated 23.05.2018 passed by this Court in CM (M) 1156/2017, titled **R vs. V**, the learned Principle Judge has not recorded any finding thereon. He further submits that the Impugned Order would prejudice the case of the petitioner at the time of final adjudication of the petition.

As far as recording of the finding is concerned, as the order is passed on the interim application of the petitioner and based on the interaction of the Learned Principle Judge with the child, in my opinion, this would not be a stage to give a final finding on the said videography. This issue would be considered by the learned Trial Court at the time of final adjudication of the petition. Similarly, as the Impugned Order of 30.09.2019 has been passed on an interim application, it is made clear that the same shall not prejudice the

case of the petitioner at the time of the final adjudication of the petition.

The Review Application is disposed of with the above observation.

NAVIN CHAWLA, J

JANUARY 20, 2020/rv