

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2473 of 2020**

Smt. Disha Singh W/o Akshay Singh, Aged About 29 Years, Resident Of C/o Rajesh Singh Thakur, In Front Of Nagorao Shesh School, Tahsil And District Bilaspur, Presently Resident Of Pathargadi, Community Health Centre, Tahsil Pathariya, District Mungeli, Chhattisgarh

---- **Petitioner****Versus**

- Akshay Singh S/o Aniruddh Singh Thakur, Aged About 30 Years, R/o Chantapara, Tilak Nagar, In Front Of Mahadev Hotel, Tahsil And District Bilaspur, Chhattisgarh

---- **Respondents**

For Petitioner : Mr. Amit Kumar, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****29.10.2020**

1. The present writ petition has been filed against the respondent seeking for a direction to the extent of permitting the petitioner to meet her daughter born out of the relationship between the petitioner and the respondent, both of whom are husband and wife.
2. At the outset, this Court is of the opinion that the writ petition would not be maintainable for more than one reason. Firstly, the respondent is an individual and therefore would not fall within the ambit of Article 12 of the Constitution of India for the purpose of issuance of a writ exercising the writ jurisdiction of this Court. Secondly, the nature of dispute that has been raised by the petitioner is one which squarely falls within the powers which are otherwise conferred upon the Family

Court under different provisions of law which needs to be invoked by the petitioner for redressal of her grievance. This Court as of now would not substitute itself as a Family Court for deciding the right of visitation with her child of the petitioner.

3. In view of the same, the writ petition is not maintainable. However, the right of the petitioner stands reserved to approach the concerned Family Court under the relevant provisions of law for redressal of her grievance.
4. The writ petition accordingly stands dismissed as not maintainable.

**Sd/-
P. Sam Koshy
Judge**