

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(Proceedings conducted through video Conference)**

103

CWP-18192-2020 (O&M)
Date of decision: 02.11.2020

ABHISHEK KUMAR MISHRA

... Petitioner

Versus

ANKITA GHANSHYAMSINH CHAUHAN AND ANR ... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Petitioner in person.
Mr. Rohit Arya, DAG, Haryana.

REKHA MITTAL, J. (Oral)

Challenge in the present petition has been directed against order dated 28.09.2020 passed by the Additional Principal Judge, Family Court, Gurugram whereby the application for grant of interim custody of minor children (two daughters) of the petitioner filed against mother of the children has been disposed of with the following observations:-

After hearing the submissions of the petitioner and going through the record of the case, this Court is of the considered view that at this stage the children appear to be happy and to be of healthy mind and at the same time they are of very tender age where they can be influenced. The children being daughters needs to currently reside with their mother also on account of the pandemic. It is not in their interest that physical visitation be granted at this time. The grievance of the petitioner is that on account of the conduct of the respondent and because of lockdown the children are unable to interact with him and he be granted visitations. In such circumstances as physical visitation cannot be granted at this stage also and it is in the interest of the children that they are not deprived of the love of the other parent for which reason the respondent is directed to ensure that petitioner is allowed free video call interaction with the petitioner

through whatsapp or any other mechanism when the children are able to interact with the petitioner. The petitioner is allowed to have electronic visitations instead of physical visitations on every Saturday of the month from 5.00 to 6.00 pm. Also, this Court is fortified in its view by the judgment in case titled 'Tanuj Dhawan Vs. Court on its own motion' dated 30.04.2020 wherein also Hon'ble Supreme Court of India has allowed electronic contact instead of physical visits to be substituted in these times.

The petitioner, in place of availing appropriate remedy in law has filed the instant writ petition and appended synopsis running into several pages wherein he has levelled serious allegations of assassinating the character of his wife. The present petition is not maintainable and as such, is dismissed. However, the petitioner may avail appropriate remedy in law to assail the impugned order.

02.11.2020

(REKHA MITTAL)
JUDGE

ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No