

\$~1

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

+ **CM(M) 385/2020**

PRATIK JINDAL & ANR.

..... Petitioners

Through: Ms.Malavika Rajkotia, Mr.Harshit
Khurana & Ms.Akriti Tyagi, Advs.

versus

SHRUTI JINDAL

..... Respondent

Through: Mr.Fanish K Jain & Mr.Deepanshu
Garg, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

20.07.2020

This hearing has been held through video conferencing.

CM No.15610/2020 (Exemption)

Allowed, subject to all just exceptions.

CM No.15611/2020 (Exemption from filing notarized affidavit)

This application has been filed seeking exemption from filing duly notarised affidavit. Binding the deponent of the affidavit to the contents of the application, the exemption is granted.

Application is disposed of.

CM(M) 385/2020

1. This petition has been filed challenging the order dated 19.03.2020 passed by the learned Principal Judge, Family Courts, West, Tis Hazari Courts in GP No. 17/2019.

2. By the Impugned Order, the learned Principal Judge has been pleased to dismiss the application filed by the petitioner herein seeking temporary

custody of both the minor daughters during their school holidays from 10.03.2020 till 05.04.2020.

3. The learned counsel for the petitioner submits that after the passing of the Impugned Order, the respondent alongwith her family members had attended a wedding and has now been tested positive for Covid-19. She submits that even other family members of the respondent have been tested positive.

4. The learned counsel for the respondent though admits to the respondent having attended the wedding with the children, however, emphatically denies the respondent or any of her family members being tested positive for the Covid-19. He further submits that the wedding took place in accordance with the norms that have been laid down by the Central Government and the State Government in this regard.

5. Without entering into this controversy, as the application before the Learned Principal Judge was confined to the prayer of interim custody of the children between the period 10.03.2020 till 05.04.2020, which period has long expired, I do not see any ground to interfere with the Impugned Order.

6. The petition is dismissed. However, it is made clear that any observation made in the Impugned Order shall not prejudice the petitioner in any future proceedings.

NAVIN CHAWLA, J

JULY 20, 2020/rv