

THE HON'BLE THE CHIEF JUSTICE HIMA KOHLI
AND
THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

F.C.A.No.418 of 2018

JUDGMENT: (Per the Hon'ble the Chief Justice Hima Kohli)

1. On the last date of hearing, though learned counsel for the appellant had stated that he did not wish to press the appeal on merits, in view his request that he be granted visitation rights in respect of the minor daughter of the parties, who is in the care and custody of the respondent/mother, we had enquired from learned counsel for the respondent/mother if his client would be ready and willing to give visitation rights to the appellant/husband. At that stage, learned counsel for the respondent had stated that the appellant/father has not been paying the maintenance of Rs.10,000/- per month fixed for the minor daughter and he has been in default since March, 2020. At that stage, learned counsel for the appellant had stated that he may be permitted to obtain instructions. We had also indicated that till the appellant/father demonstrates his *bona fides* by clearing the arrears of maintenance which till the end of April, 2021, had mounted to Rs.1,30,000/-, we would not be inclined to grant visitation rights to him.

2. Today, learned counsel for the appellant concedes that his client has not cleared the arrears of maintenance payable to the

respondent/wife or the minor daughter and states that his client is financially stressed.

3. In view of the above submission, we decline the request made by the appellant/father for working out any visitation rights. It is left to the parties to seek their remedies in accordance with law.

4. The present appeal is closed as not pressed along with the pending applications, if any.

HIMA KOHLI, CJ

B. VIJAYSEN REDDY, J

29.06.2021
JSU