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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CM(M) 953/2022, CM APPL. 40286/2022****SACHIN GUPTA**

..... Petitioner

Through: **Mr. Bharat Bagga, Adv. (through VC)**

versus

ANJALI GUPTA

..... Respondent

Through:

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Date of Decision: 13th September, 2022**CORAM:****HON'BLE MR. JUSTICE DINESH KUMAR SHARMA****J U D G M E N T****DINESH KUMAR SHARMA, J. (Oral)****CM APPL. 40255/2022 (exemption)**

Exemption is allowed subject to all just exceptions.

CM(M) 953/2022

1. The present petition has been filed challenging the order dated 5th July, 2022 whereby the learned Judge, Family Court has inter alia held as under:

“8. In view of the aforesaid facts and reasons, visitation rights are granted to the applicant/father subject to the payment of arrears of interim maintenance admittedly @ Rs. 25,000/- per month pending w.e.f May, 2020, within three months of this order and is also directed to pay regular interim maintenance for meeting necessary expenses of the non-applicant/respondent and the minor child.



9. Accordingly, the applicant/petitioner is allowed to meet the minor child, Baby Soumya Gupta in Children Room, Family Court, North-West, Rohini, Delhi, on 1st and 3rd Saturday of every month between 12.00 Noon to 1.30PM. In ease of such Saturday being holiday, parties shall arrange the

meeting on the same terms on the immediate next Saturday and in case of any exigency, if the non-applicant/respondent is not able to bring the minor child for effecting the visitation rights on the scheduled date and time, she shall inform the applicant/petitioner/counsel about the same well in time and in that ease the visitation shall automatically take place on the next working Saturday on the same time. Similarly, if the applicant/petitioner is not able to come for meeting the minor child on the scheduled date and time, he shall inform the non applicant/respondent/counsel about the same well in time and in that case the visitation shall automatically take place on the next working Saturday on the same time. For convenience, both the parties/counsels shall exchange their mobile phone numbers and also furnish the same on the record. Both the parties are directed to maintain peace and harmony during visitation hours. ”

2. Learned counsel for the petitioner has assailed the impugned order on two fold grounds. Firstly, he has regularly been paying the maintenance however, the complete arrears could not be paid on account of financial crisis during the Covid time and secondly the visitation hours granted by the learned Judge, Family Court is too short to strengthen the bond between the father and daughter.

3. Learned counsel submits that therefore the impugned order may be set aside. The condition of the payment of maintenance may be removed and visitation rights may be enhanced.



4. I have considered the submissions. The revisional jurisdiction of this Court is very limited. The Court can interfere under this jurisdiction only if there is perversity in the order of the learned Trial Court or if the Trial Court has exceeded the jurisdiction or has exercised the jurisdiction not vested in it.

5. None of the condition exists in the present case. The learned Trial Court has taken a note of the financial condition of the petitioner who is stated to be a Chartered Accountant.

6. I do not find any illegality or perversity in the order of the learned Trial Court. Hence, the present petition along with the pending application is dismissed, however, the petitioner may approach the Court after three months for enhancement of visitation rights. During these three months, the visitation rights granted by the learned Trial Court to be availed and fructified.

DINESH KUMAR SHARMA, J

SEPTEMBER 13, 2022

Pallavi