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

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Judgment delivered on: 14.03.2023

+ **MAT.APP.(F.C.) 62/2021, CM APPL. 20370-74/2021 & CM APPL. 32942/2022**

PANKAJ JAIN

..... Appellant

versus

PARUL JAIN

..... Respondent

+ **CM(M) 376/2021 & CM APPL. 21050/2021**

PARUL JAIN

..... Petitioner

versus

PANKAJ JAIN

..... Respondent

+ **CM(M) 399/2021 & CM APPL. 18379/2021**

PARUL JAIN

..... Petitioner

versus

PANKAJ JAIN

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Prosenjeet Banerjee, Mr Rishabh Bansal and Ms Himsanshi Malhotra, Advocates.

For the Respondent: Ms. Malavika Rajkotia, Mr Ramakant Sharma and Mr Prateek Avasthi, Advocates along with Ms Parul Jain, in person.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE VIKAS MAHAJAN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Appellant-husband in MAT.APP.(F.C.) 62/2021 impugn order dated 19.04.2021 and seeks certain directions towards shared parenting.
2. Petitioner-wife in CM(M) 376/2021 impugns order dated 19.04.2021 whereby her application seeking cancellation of visitation to the husband has been dismissed. She further in CM(M) 399/2021 impugns order dated 28.05.2021 whereby directions were issued to her to comply with order dated 19.04.2021.
3. Learned counsel for the parties submit that since there is an order for conclusion of the trial by 31.07.2023, they would not like to press their respective petitions without prejudice to their stands before the concerned Family Court.
4. We may also notice that in the impugned order dated 19.04.2021, the Family Court has itself recorded that it would be open to the parties to make appropriate submissions at the time of final disposal of the substantive petition.
5. We are informed that the trial is progressing on an expeditious basis and the examination and cross-examination of the appellant-husband has already been concluded and endeavour is being made by parties to expedite their evidence.
6. Learned counsel for the parties, under instructions, submit that

let the status with regard to interim visitation as obtaining today be continued till the final disposal of the appeal. This, however, is subject to the pending application with regard to the change of school of the child, which is pending consideration before the Family Court.

7. Learned counsel for the appellant-husband further reiterates the assurance given to this Court on 29.07.2021. The statement is taken on record.

8. The appeals are, accordingly, disposed of with a direction to the Family Court to endeavour to conclude the proceedings expeditiously as already directed in CONT.CAS(C) 392/2021. The observation, on merits in the impugned order dated 19.04.2021 and 28.05.2021 shall be treated as only *prima facie* and the Family Court would be at liberty to take a fresh view of the matter after the trial of the parties is concluded without being influenced by anything stated in the said order.

9. Order *dasti* under signatures of Court Master.

SANJEEV SACHDEVA, J.

VIKAS MAHAJAN, J.

MARCH 14, 2023

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