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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 04th July, 2023

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MAT.APP.(F.C.) 129/2023 & CM APPL. 23588/2023

SUNIL

..... Appellant

Through: Mr. Abhishek Sharma,
Advocate along with appellant
in person.

versus

PINKI RANI

..... Respondent

Through: Mr. Krishan Kumar & Ms.
Aakriti Saxena, Advocates
along with respondent in
person.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

CM APPL. 23589/2023 (Condonation of delay)

1. *Vide* the present application, the applicant/appellant is seeking condonation of 69 days' delay in filing the present appeal.
2. For the reasons and grounds stated in the present application, the application is allowed, and delay of 69 days in filing the present appeal is condoned.
3. Accordingly, the application is disposed of.

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4. *Vide* the present appeal, the appellant is seeking following reliefs:
 "a.) *Accept the present petition of the petitioner;*
 b.) *Set aside the impugned judgment dated 25.01.2023, passed by the Ld. Court of Sh. Naresh Kumar Malhotra, Judge, Family Court, East District, Karkardooma Courts, Delhi, in GP No.100*



of 2018, titled as “Sunil Vs. Pinki Rani”, wherein the Ld. Trial Court was pleased to dismiss the guardianship petition of the petitioner;

c.) Grant the custody of minor child namely Harshit @ Abhi to petitioner, in the interest of justice.”

5. After some arguments and interaction with the parties, their son, namely, Master Abhiman Kumar, who is studying in Class IIIrd in St. Andrews Scots Senior Secondary School, I.P. Extension, Patparganj, New Delhi, it is agreed by the parties that the appellant shall meet the child on first and third Saturday of every month from 11:00A.M. to 02:00 P.M. at V3S Mall, Preet Vihar, New Delhi.

6. It is further agreed that the respondent/mother shall drop the child at the said Mall at 11:00 A.M. and again pick up the child at 02:00 P.M. from the said Mall on the same day.

6. It is made clear that if either of the parties violates the above directions passed by this Court, the same shall amount to contempt of court.

7. It is further made clear that if any modification on account of subsequent acts is sought, the necessary application for the said modification shall be filed before the concerned Family Court.

8. Accordingly, in view of above, the present appeal along with pending application is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

JULY 04, 2023/S.Sharma