

FAO-1855-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-1855-2024 (O&M)

Date of decision: April 22, 2024

Anil

....Appellant

versus

Rekha

....Respondent

CORAM: HON’BLE MR. JUSTICE SUDHIR SINGH
HON’BLE MR. JUSTICE HARSH BUNGER

Present:- Mr. Deepak Girotra, Advocate for appellant.

SUDHIR SINGH, J. (ORAL)

CM-7126-CII-2024

For the reasons stated in application, same is allowed. Delay of 16 days in filing appeal is condoned.

Main case (O&M)

Appeal herein is against the impugned order dated 23.02.2024 passed by learned Principal Judge, Family Court, Meham, whereby, application under Section 6 of the Hindu Minority and Guardianship Act, 1890 (for short ‘Act of 1890’) filed by appellant, seeking interim custody of minor child, has been dismissed.

2. Vide order dated 23.02.2024, application filed by appellant seeking interim custody of minor child has been dismissed by learned trial Court.

Relevant in para-14 thereof reads thus:-

“14. At this juncture, it may also be observed that from information furnished to respondent under RTI Act by the police as well as copies of statements of present petition and his father in petition under Section 13 of HMA read with copy of birth certificate of minor Chetna, it is prima-facie clear that petitioner is living in

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live-in-relationship with one Ms. Nidhi since one and half years prior to 10.02.2023 and a daughter namely Chetna has born from their loins.”

3. After arguing for sometime, learned counsel for appellant seeks to withdraw the instant appeal with liberty to make an appropriate application, seeking visitation rights, before the trial Court with appropriate jurisdiction.
4. Dismissed as withdrawn with liberty aforesaid.
5. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(HARSH BUNGER)
JUDGE

April 22, 2024

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No