

2024:PHHC:082305



118 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-2530-2024

Decided on:-03.07.2024

Rupinder Kaur

....Petitioner..

vs.

Devinder Pahwa

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Sandeep Singh, Advocate for the petitioner.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition challenge has been laid to an order dated 01.02.2024 passed by the Court of Principal Judge, Family Court at Dera Bassi, whereby, an application filed on behalf of respondent-father seeking interim custody of the minor children, namely, Anhad Pahwa and Akshad Pahwa has been partly allowed with the following observations:-

“If the father is allowed to meet the minor children, it will be in the interest and welfare of the minor children for their wholesome mental development. Hence, the application in hand stands partly allowed and applicant/petitioner is allowed to meet the minor children on 3rd Saturday of every month from passing of this order at some public place i.e. any nearby Public Park or any temple in the presence of their mother from 2.00 PM to 5.00 PM. It is further directed that both the parties shall maintain cordial atmosphere during the meeting so that the minor children are able to spend quality

time with the applicant/ petitioner. It is further directed that if for any reason the applicant/petitioner is not able to meet the minor children on the specific day, he shall intimate in advance to the respondent through phone/whatsapp/email and then he can interact with the minor children through Video Call on the said particular day. Accordingly, application in hand stands disposed of being partly allowed. The observation made in the order shall have no bearing on the merits of the case.”

2. Impugning the aforesaid, the primary objection raised by learned counsel appearing on behalf of the petitioner-mother is that on the first chance of meeting between the father and minor children, the respondent-father behaved indifferently and tried to slip away with the kids and in such circumstances, it was very difficult for the petitioner to comply with the directions issued by the Court below.

3. Having heard learned counsel for the petitioner and upon considering the aforesaid submissions, at this stage, it may be appropriate in case, the petitioner approaches the Family Court again for seeking modification of the order as regards the alternate place of meeting between the respondent-father and minor children. Till then an alternate, let the Mediation and Conciliation Centre at Dera Bassi, SAS Nagar Mohali be used for compliance of the order dated 01.02.2024, passed by the Court below, essentially, while keeping in view the interest and safety of the minor children.

4. Accordingly, the present petition stands disposed of with the aforesaid modification and liberty.

03.07.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No