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

+ **CM(M) 2307/2024**

BEENU PANWAR

..... Petitioner

Through: Mr. Saurabh Pandey, Mr. Manoj
Rajesh Arora & Mr. Balram Sharma,
Advs. with petitioner in person.

versus

KULDEEP CHAUDHARY

..... Respondent

Through: Ms. Palak Munjal, Adv.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **08.04.2024**

CM APPL. 20751/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Applications stands disposed of.

CM(M) 2307/2024

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 03.04.2024 passed by the learned Judge, Family Court, Patiala House Courts, New Delhi (hereinafter referred to as 'Trial Court'), in GP No.13/2023 titled as "*Beenu Panwar vs. Kuldeep Chaudhary*", whereby the application seeking immediate interim custody of the minor child to the petitioner has been declined.
4. Issue notice.
5. Learned counsel for the respondent puts an appearance on advance



notice and accepts notice.

6. Learned counsel for the petitioner submits that immediate custody of the child is required as the re-examination of the child is scheduled for 12.04.2024 to 19.04.2024 for which she needs to prepare the child. It is submitted that vide impugned order dated 03.04.2024, the learned Judge, Family Court has observed that since the time is short, therefore, has declined to hear the application on merits.

7. Learned counsel for the petitioner submits that he is willing to make same submissions as stated before this Court before the learned Trial Court and he seeks permission to withdraw the present petition.

8. The learned counsel for the petitioner submits that he shall give copy of the application to the learned counsel appearing for the respondent today itself.

9. Permission is granted with liberty to appear before the learned Trial Court to address arguments on merits on the application seeking immediate custody of the child on 09.04.2024.

10. With above observations, present petition stands disposed of.

SHALINDER KAUR, J

APRIL 8, 2024

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