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

+ **MAT.APP.(F.C.) 112/2024**

KAMAL KANT SHARMA

..... Appellant

Through: Mr Durgesh Kumar Sharma,
Advocate.

versus

APARNA GAUR

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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08.04.2024

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 20726/2024

1. Allowed, subject to just exceptions.

CM APPL. 20727/2024 *[Application filed on behalf of the appellant seeking condonation of delay in filing the appeal]*

2. This is an application filed on behalf of the appellant seeking condonation of delay in filing the appeal.

3. According to the appellant, there is a delay of 14 days.

4. Having regard to the period involved, we are inclined to condone the delay.

5. It is ordered accordingly. The application is disposed of.

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6. This appeal is directed against the order dated 01.02.2024

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passed by the Family Court in the Guardianship Petition No. 71/2022.

7. Counsel for the appellant says that the guardianship petition is listed before the Family Court on 31.07.2024.

8. Insofar as the intervening period is concerned, the Family Court, based on its understanding of the ground realities, enhanced visitation time by one (1) hour and thus, directed that the appellant/father could interact with the child on the second Thursday of every month between 3:00 PM to 5:00 PM. The record discloses that before this, the time allocated to the appellant/husband was between 3:00 PM and 4:00 PM.

9. Furthermore, the appellant/father has also been given liberty to interact with the child *via* video conferencing every alternate Sunday.

10. Counsel for the appellant/father says that the time allocated is not sufficient and that the appellant/father should be able to have the child over at his house every weekend.

11. At the moment, we are not inclined to interfere with the impugned order. However, liberty is given to the appellant/father to move the Family Court with a request for having the child over the weekend.

11.1. If such a request is made by the appellant/father, the Family Court will consider the same as per law, having regard to the circumstances at hand and last, but not least, the best interest of the child.

12. The appeal is, accordingly, closed.

RAJIV SHAKDHER, J.

AMIT BANSAL, J.

APRIL 8, 2024/rt

Click here to check corrigendum, if any