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

+ **CM(M) 2367/2024**

VIJAY NAND

..... Petitioner

Through: Mr. Ramesh Rawat, Adv.

versus

DURGA DEVI

..... Respondent

Through: Mr. Vijay V. Durga, Adv.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

22.04.2024

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CM APPL. 22797/2024—Exp.

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

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3. The present petition under Article 227 of the Constitution of India has been filed seeking directions to the learned Judge, Family Court, Dwarka Court, New Delhi to decide the application dated 28.03.2024 moved on the same day before learned Judge, Family Court, Dwarka Court, New Delhi seeking temporary custody of children for a period of 05 days in GP No. 86/2021 titled as “Vijay Nand vs. Durga Devi”.
4. Learned counsel for the petitioner submits that the aforesaid application came to be listed on 01.04.2024 before the learned Court, on which date, notice was issued to the opposite side for 03.04.2024. However,



on 03.04.2024, after hearing some arguments on behalf of the parties and as respondent herein had requested to file reply to the application, matter was adjourned to 02.05.2024. It is submitted that keeping in view the urgency in the matter, the necessary directions be issued to the learned Judge, Family Court.

5. Learned counsel for the petitioner submits that by virtue of the present application, the petitioner herein is seeking temporary custody of the child to take the child to Mata Vaishno Devi Shrine from 09.05.2024 till 13.05.2024, therefore, till the application will be decided by the learned Judge, Family Court, no time will be left for the petitioner to plan and make arrangements for the said trip.

6. After addressing some arguments, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to move an application seeking early hearing / appropriate relief before the learned Trial Court.

7. Permission and liberty as prayed for is granted, as per law.

8. Petition stands disposed of.

SHALINDER KAUR, J

APRIL 22, 2024/ss