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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAT.APP.(F.C.) 51/2023, CM APPL. 8004/2023 (Delay of 116 days in filing the Appeal) & CM APPL. 8005/2023 (Delay of 23 days in Re-filing the Appeal)

SUDESH & ANR.Appellants

Through: Mr.Amit Dwivedi & Mr.Aniket Kumar, Advocates.

versus

RENURespondent

Through: Respondent in person.

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER
26.11.2025

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1. This matter is taken up today as 25th November, 2025 was declared a holiday on account of the 350th anniversary of 'Guru Teg Bahadur's Martyrdom Day'.
2. The present Appeal, filed under Section 47 of the Guardians and Wards Act, 1890 read with Section 19 of the Family Courts Act, 1984, challenges the Judgment dated 20.07.2022 passed by the learned Judge, Family Courts, East District, Karkardooma Courts, Delhi, whereby the guardianship petition was dismissed.
3. The Appellants before this Court are the grandparents of a seven-and-a-half-year-old daughter, namely Adavya, whose father, Mithun - the son of the Appellants - committed suicide.
4. It is the Respondent, the biological mother, who has been taking



care of the child and has been in custody of the child from the very beginning.

5. The learned Family Court has already granted visitation rights to the Appellants on every first and third Saturday from 02:00 to 03:00 PM.

6. Learned counsel for the Appellants submits that the Appellant No. 1 is a Government servant and has financial resources to maintain the child properly. He submits that it will be in the welfare of the child if the custody of the child is handed over to the Appellants.

7. This Court has considered the submissions of the Appellants and find no merit therein.

8. The Appellants can always contribute for the welfare of the child by making monetary or other contribution(s). The child has been in the custody of the Respondent, his biological mother, from the time of his birth. We do not consider that the same should not be disturbed.

9. Consequently, finding no merit, the present Appeal is dismissed.

10. Accordingly, the present Appeal along with pending application(s) stands disposed of, in the aforesaid terms.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
NOVEMBER 26, 2025/tk/kr