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

+ **MAT.APP.(F.C.) 57/2025**

ASHISH DUBEY

.....Appellant

Through: Mr.Anunaya Mehta, Mr.Kunika
Champawat & Mr.Ashish
Dubey, Advs

versus

SARA CARRIERE DUBEY

.....Respondent

Through: Ms.Priya Hingorani, Sr. Adv.
with Mr.Aditya Bajaj, Adv

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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15.05.2025

CM APPL. 26315/2025

1. This application has been filed by the respondent/applicant,
praying for the following directions:-

*“14. That the Respondent urges this Hon’ble
Court to issue appropriate directions to the
Appellant,*

- i. To make all necessary travel
arrangements for the Respondent’s
travel from India to France and return,
to facilitate her visitation to the United
Kingdom in accordance with the Order
dated 08.04.2025;*
- ii. To transfer the amount of 1500 GBP,
immediately towards the Respondent’s
boarding and lodging expenses during
her stay in the United Kingdom with the*

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minor children during the said short-term break from 23.05.2025 till 01.06.2025;

- iii. To inform the Respondent, four (4) days prior, about the flight tickets/travel itinerary of the Respondent;*
- iv. To fully cooperate with the Respondent without raising any unwarranted objections;”*

2. This Court, by its order dated 08.04.2025, with the consent of the parties, made the following arrangement for the short-term break of the children:-

“5. Now, with the consent of the parties, for the three short midterm breaks, the respondent can visit United Kingdom to meet the children on first such break and the appellant shall bear the travelling and lodging expenses of the respondent and the children during that period in terms of the Order dated 04.05.2023 passed by the learned Family Court. For the second short mid-term break, the appellant shall visit UK to meet the children. For the remaining third mid-term break, the children with their willingness can decide amongst themselves to either go for a vacation in the United Kingdom or to visit India and for that purpose, the appellant shall make all the arrangements of both the children and shall bear the expenses of their travel and accommodation. In case the children decide to travel to India in this third short mid-term break, the period of their stay in India shall be equally spent with the appellant and the respondent. In case the children decide to remain in UK, the passports of the children shall remain in the custody of the school.”

3. The respondent/applicant, by way of the present application, states that unfortunately, her father passed away on 22.02.2025, and she would need to visit France to be with her family. She wishes to

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club this visit with the visit to the children during their short-term break that they will be in the month of May-June 2025. She, therefore, prays for the above directions.

4. The learned counsel for the appellant/non-applicant submits that this Court, after hearing the parties and with the consent of the parties, had made the above arrangement, whereby the respondent/applicant was to visit the children in the United Kingdom during their short-midterm break, which falls between October-November 2025. He submits that if the change in visitation now sought by the respondent/applicant is allowed, she would, in fact, end up having more visitation with the children, wherein instead of visitation of six times between the period from 2023–2024 to 2028–2029, now she would end up having visitation seven times.

5. We have considered the submissions made by the learned counsels for the parties.

6. With the consent of the parties, this Court, in its order dated 08.04.2025, had stipulated that the respondent/applicant shall have visitation rights with the children in the United Kingdom during the first short-term break, wherein the appellant/non-applicant shall bear the travelling and lodging expenses of the respondent/applicant and the children. The respondent/applicant merely wants to shift this visitation to the mid-term break, which is to take place between May 2025 to June 2025, which is the period in which as per our order dated 08.04.2025, the children were to decide whether they wish to travel to India or stay back in the United Kingdom and enjoy their vacations.

7. The respondent/applicant submits that she has already spoken to

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the children, and the children have decided to stay back in the United Kingdom for the said vacation. She, in any case, undertakes that she will not avail of the visitation rights during the mid-term vacation of the children between October 2025 to November 2025, and for the said mid-term break, the children may decide whether they wish to travel to India or stay back in the United Kingdom.

8. We find no reason not to accept this plea of the respondent/applicant, especially when she states that she wants to visit France to be with her family due to the sudden demise of her father.

9. As far as the plea of the appellant/non-applicant that this would result in one excess visit of the respondent/applicant to the children, presently it would only be on the presumption that the *interim* arrangement needs to continue right till 2028–29.

10. Therefore, we allow the present application and issue directions in terms of paragraph 14 of the application, as have been reproduced by us hereinabove.

11. Let the appellant/non-applicant make necessary arrangements to ensure that the respondent/applicant is able to travel to France on 21.05.2025 and return on 27.06.2025. The expenses of lodging at France and for her travel to and from United Kingdom shall be made by the respondent/applicant at her own expense and in her own. However, the expenses for travel and lodging of the children and the respondent for the period of mid-term break of the children between May 2025 to June 2025 at United Kingdom, shall be made by the appellant.

12. We make it clear that the above modification is being made

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only for the year 2025, due to special circumstances.

13. We further clarify that no further application shall be entertained for seeking modification of our order dated 08.04.2025. If any modification is required, the parties must approach the learned Family Court for the same.

14. The application is disposed of in the above terms.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 15, 2025/rv/DG

[Click here to check corrigendum, if any](#)

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