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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT. APP. (F.C.) 117/2025 & CM APPL. 16751-52/2025**
POOJA BHASKARAppellant
Through: Mr.Upender Kumar, Adv. along
with appellant in person.

versus

NARAYAN SINGH & ORS.Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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21.03.2025

1. This appeal has been filed by the appellant, challenging the Order dated 12.03.2025 passed by the learned Judge, Family Court (West District), Tis Hazari Court, Delhi (hereinafter referred to as 'learned Family Court') in GP No. 40/2020, granting the *interim* custody of the two minor children of the appellant to the respondent nos.1 and 2, that is, the Grandfather and the Uncle of the children, for the period from 22.03.2025 at 11.00 A.M. till 27.03.2025 at 4.00 P.M.
2. For the order that we intend to pass, we do not deem it necessary to issue notice on this appeal to the respondents.
3. This Court, by its Order dated 11.10.2023 passed in MAT. APP.(F.C.) 34/2023, had made the *interim* order of custody and visitation between the parties as under:

"24. We, therefore, find no merit in the



present Appeal and direct that the custody of the children be handed over to the respondent No. 1/mother in the Children's Room at Tis Hazari Courts, Delhi in the presence of the Counsellor on 21.10.2023. In the interim, the appellant Nos. 1 and 2 are directed to prepare both the children for transfer of their custody to the respondent No. 1/mother. The visitation rights as agreed by the parties in the Court shall be as under:

(i) That the children be handed over to the appellant Nos. 1 and 2 on first and third Saturdays at 11:00 A.M. who, thereafter, shall return the custody of the children to the respondent No.1/mother on the next day i.e., Sunday at 04:00 P.M. at the residence of the respondent No.1/mother.

(ii) That the respondent No. 1/mother shall permit the two children to interact with the appellant Nos. 1 and 2 every day on video call depending upon the time the children are willing and available to interact with them over video call.

(iii) That the respondent No. 1/mother shall share the regular progress of the two children in the school with the appellant Nos. 1 and 2 and shall also provide them with the copy of the Report Cards as and when it is received by her.

(iv) That the respondent No.1/mother shall also inform the appellant Nos. 1 and 2 in case, the children are indisposed."

4. The Impugned Order records that due to the examinations of the children, the respondent nos.1 and 2 could not exercise their visitation rights. They also did not press their prayer for visitation on the festival of Holi. In lieu thereof and keeping in view that the children were having a break from school from 18.03.2025 to 31.03.2025, the learned Family Court has granted the prayer of the respondent nos.1 and 2 for overnight custody of the children



from 22.03.2025 at 11.00 A.M. till 27.03.2025 at 4.00 P.M., including in lieu of visitation rights on the 1st and 3rd Saturday, which could not be exercised due to the children's examinations.

5. The learned counsel for the appellant submits that the appellant was intending to take the children for a vacation out of Delhi during this period. He further submits that the children are also to attend certain co-curricular exercise classes in the intervening period.
6. To a pointed query of this Court, whether the appellant has made any Hotel bookings for her alleged visit out of the city, the appellant, who is present in person in Court, fairly admits that no such bookings have been made till now.
7. In the appeal itself, the appellant has also submitted that she has no objection if the overnight custody of the minor children is handed over to the respondent nos.1 and 2 on two days instead of five days that has been granted by the learned Family Court.
8. We, keeping in view the above circumstances, especially the Order dated 11.10.2023 of this Court, are of the opinion that no interference is called for in the Impugned Order dated 12.03.2025.
9. The appellant, if she is interested in taking the children out for vacation, can always take the children out of the city after their custody is handed over by the respondent nos.1 and 2 to the appellant on 27.03.2025, as they would be on vacation till 31.03.2025.
10. As far as the classes for co-curricular activities are concerned, the



appellant may inform the respondent nos.1 and 2 of these classes and their timings. The respondent nos.1 and 2 shall ensure that the children attend these classes while being in their custody.

11. At this stage, the learned counsel for the appellant submits that to the information of the appellant, the respondent nos.1 and 2 have changed their residence.
12. Though, we find that this plea has not been taken in the present appeal, be that as it may, at the time of taking over the custody, the respondent nos.1 and 2 shall give the address at which they are presently residing and where the children may be found at any time while they are in their custody. The respondent nos.1 and 2 shall also ensure that a video call is arranged between the appellant and the children every day at 10.00 A.M. during this period; the time proposed by the appellant.
13. The appeal as well as the pending applications is disposed of in the above terms.
14. *Dasti.*

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MARCH 21, 2025
RN/DG