



\$~35

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 44/2026**
SEEMA SHARMAAppellant

Through: Mr. Ajaya Kumar, Mr. Manish Nagar,
Advts. with appellant in person.

versus

SOURAV SHARMARespondent
Through: Ms. Neeru Gaur, Adv. with respondent
in person.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

% **09.02.2026**

1. We have heard learned counsel for the parties and have also interacted with both parties as well as the child.
2. The present appeal arises from the order dated 02.02.2026, whereby the application filed by the appellant seeking preponement was rejected. The present matter before this Court pertains to the custody of the minor child.
3. The factual matrix reveals that, until recently, the custody of the child had remained with the mother. Although earlier orders had been passed granting custody to the father, the said orders were not complied with, and custody was not handed over. The custody in terms of the order dated 01.02.2025 was ultimately handed over only on 23.01.2026.
4. It is also stated that during the intervening period, certain *interim* orders continued to operate. Be that as it may, despite repeated directions of the Court, custody was not handed over by the mother to the father. It has further been brought to our notice that the child's examinations are scheduled to commence from 11.02.2026 and will continue till 13.03.2026.



5. It further informed that after handing over custody, the child attended school for the first time only today. This Court is of the opinion that this situation disturbing and dislocating a child immediately prior to his examinations does not appear to be appropriate as admittedly, the mother has been looking after the education of the child till now.
6. Accordingly, in the interest of justice, and without dealing with the merits of the case, it is directed that the custody of the child shall remain with the mother till 13.03.2026, i.e., the last date of the examinations. On 14.03.2026, the mother shall hand over the custody of the child to the father.
7. The parties shall appear before the learned Family Court on 14.03.2026 for the purpose of handing over custody of the child.
8. The next date fixed before the learned Family Court is 17.03.2026, wherein, it shall be open to the learned Family Court to pass appropriate orders on merits, in accordance with law.
9. In the meantime, it shall be open to the respondent/husband to visit the residence of the appellant on Sundays, between 11:00 AM and 1:00 PM, to meet the child.
10. With the aforesaid directions, the present appeal stands disposed of.
11. A copy of this order be given *dasti* under the signatures of the Court Master, as requested.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

FEBRUARY 9, 2026/r/kp