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

+ **CM(M) 1217/2026 & CM APPL. 35526/2026**

MANISH MEHTAPetitioner

Through: Counsel appearance not given.

versus

SHWETA SINGHRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **22.05.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 35527-28/2026 (exemptions)

2. Allowed, subject to all just exceptions. Applications are disposed of.

CM(M) 1217/2026 & CM APPL. 35526/2026

3. The present petition under Section 227 of the Constitution of India, 1950, seeks the following prayers:-

“A. Set aside the impugned interim order dated 27.04.2026 passed by the Learned Principal Judge, Family Court, Shahdara District, Karkardooma Courts, Delhi in GP No. 05/2026 titled “Manish Mehta vs. Shweta Singh”, being illegal, arbitrary, non-speaking, without jurisdiction and contrary to the settled principles governing guardianship proceedings;

B. Stay the operation, implementation and effect of the impugned order dated 27.04.2026 during the pendency of the present Petition, including the direction directing the Petitioner to pay a lump sum amount of ₹5,00,000/- in addition to school fees and other incidental expenses, as the same has been passed without pleadings, evidence,



financial inquiry or adjudication;

C. Direct the Learned Trial Court to decide the Petitioner's pending application under Section 12 of the Guardians and Wards Act, 1890 expeditiously and strictly in accordance with law, within a time-bound period, considering the paramount welfare, emotional well-being and developmental needs of the minor child;

D. Grant immediate, regular, meaningful and unhindered visitation/access rights to the Petitioner, including physical visitation, video calls, telephonic interaction, overnight custody during weekends/vacations and such other interaction as may be deemed fit and proper in the welfare and best interest of the minor child;

E. Hold and declare that visitation and parental access of the Petitioner/father cannot be made contingent upon payment of any arbitrary or excessive monetary amount and that the same amounts to an impermissible restriction upon the Petitioner's parental and natural rights;

F. Pass appropriate directions restraining the Respondent from alienating, emotionally manipulating or creating obstacles in the bonding, interaction and relationship between the Petitioner and the minor child, and further restrain the Respondent from denying telephonic, virtual or physical access to the Petitioner;

G. Direct the Respondent to ensure continuous schooling, therapy, developmental support and emotional care of the minor child and to furnish complete details regarding the child's education, therapy sessions, medical treatment and overall welfare to the Petitioner on a regular basis;

H. Pass any other or further order(s), direction(s) or relief(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice, equity and the welfare of the minor child."

4. *Vide* order dated 27.04.2026, learned Family Court-01, Shahdara, Karkardooma Courts, Delhi in GP No. 05/2026 had passed the following directions:-



“In view of facts and circumstances of this case after due deliberation, following order is being passed:

1) Petitioner shall pay sum of Rs. 5 Lacs in lumpsum to the respondent as maintenance charges/amount which the petitioner is spending over the minor. This amount shall be in addition to the fees etc. which shall be borne by the petitioner. This amount of Rs. 5 Lacs is for three months i.e. from 01.05.2026 to 01.08.2026 and shall be paid by 7th of May, 2026.

2) The amount of Rs. 5 Lacs is being given for two purposes i.e.

i) It should be deposited in a prepaid card/debit card so that the expenses can be mapped.

ii) The parties don't litigate in other forums at least till the NDOH so that this period amounts to a sort of thaw in litigation so that they can continue discuss inter se the settlement in a positive approach.

The Counsel for petitioner submits that this order may be used in any other proceedings to which it is clearly observed that this is being done for the aforesaid purposes alone. Parties during this interrugnum may decide their future etc. The exact details of expenses would also in a manner assist at appropriate stage so that final order can be passed.

Again Counsel for petitioner submits that this is an excessive amount. All expenses can be mapped or otherwise considered at appropriate stage. However, it is noted that neither of the parties during these three months shall precipitate any new proceedings and the existing one would be paused for three months.

3) The petitioner's rights are clarified to be four visits in a month on every Saturday/Sunday. In case if he comes after fortnight from Dubai, then he can take it the minor on the said Saturday/Sunday between 8:00 AM and 8:00 PM alone. Visits are capped at four on monthly basis which can be availed on Saturday/Sunday with two to three days prior intimation to the respondent.

I am not allowing overnight custody. If the arrangements work well, it will continue for another two months.



Ld. Counsel for respondent submits that minor is getting some therapies which may require presence of the respondent. Petitioner in such a scenario can seek assistance of the respondent in case of therapies or any other need during his custody period.

I am keeping this matter for further proceedings on 15.05.2026. The amount be paid on the NDOH. This order is without prejudice to the rights of the parties in any manner.

Copy of this order be given dasti.”

5. Learned counsel appearing on behalf of the petitioner submits that the aforesaid directions were passed by the learned Family Court without evaluating the affidavit of income or any other material on record. It is further submitted that the petitioner is already paying school fees, therapy fees and medical expenses of the children, along with other ancillary costs with respect to the children. It is further submitted that the petitioner is ready and willing to pay Rs. 3,00,000/- for three months, *i.e.*, from 01.05.2026 till 01.08.2026.
6. Issue notice to respondent, on petitioner taking necessary steps, through all permissible modes, including electronic mail, if any, returnable on 31.07.2026.
7. In the meantime, the petitioner shall pay Rs. 3,00,000/- for three months, *i.e.*, from 01.05.2026 till 01.08.2026, within a period of one week from today.
8. It is made clear that the aforesaid interim direction is only with respect to the deposit of amount; however, visitation shall continue as per the orders passed by the learned Family Court-01, Shahdara, Karkardooma Courts, Delhi.
9. Copy of this order be sent to the learned Family Court-01, Shahdara



District, Karkardooma Courts, Delhi, for necessary information and compliance.

10. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MAY 22, 2026/sn/sg