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

+ **MAT.APP.(F.C.) 204/2026, CM APPL. 38760/2026**

SANAM TALWAR

.....Appellant

Through: Ms. Priya Hingorani, Sr. Advocate
with Mr. Naseem Ahmed & Ms. Aditi
Ladda, Advs.

versus

SHABEER GEREWAL

.....Respondent

Through: Respondent in person with counsel.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **12.06.2026**

CM APPL. 38760/2026

1. Exemption allowed, subject to all just exceptions.
2. Application is disposed of.

CM APPL. 38759/2026

3. Application under Section 151 of CPC has been filed on behalf of the Appellant seeking Stay of Order of the learned Judge, Family Court dated 05.06.2026, whereby the Respondent has been permitted to go to USA to bring the child to India for the summer vacation.
4. Learned counsel for the Appellant states that the Appellant has change a job and from Student VISA she is transitioning to Employment Visa, which has been applied by the Employer on her behalf. She is required to join the job by 15.07.2026 and the Employment VISA is likely to go through before that.
5. It is further submitted that the child is on the Dependant VISA, along



with the mother who is linked to her VISA. In case, the child is permitted to come back to India, he would not be able to return on account of not having the Dependent VISA, which cannot be processed till the child is there. In case, the child travels to India his Dependent VISA would not be processed in USA.

6. Learned counsel for the Respondent along with the Respondent, who is present in person, refutes these submissions and submits that the child has B-1 Tourist VISA for 10 years as well as F-2 VISA, and the child even if brought to India can return to USA on his B-1 Tourist VISA.

7. However, it is refuted by learned counsel for the Appellant, who submits that the child would be able to travel back on B-1 VISA, once the processing of her Employment VISA starts.

8. The facts to be placed on record in an Affidavit, both, by the Appellant as well as the Respondent within two days.

9. Respondent has to travel to USA tonight, which he may do.

10. However, in so far as bringing back the child is concerned, he may avail the further Orders of this Court.

11. List before Vacation Bench on 15.06.2026.

**NEENA BANSAL KRISHNA
(VACATION JUDGE)**

**MADHU JAIN
(VACATION JUDGE)**

JUNE 12, 2026/R