

HIGH COURT FOR THE STATE OF TELANGANA

Main Case No.: FCA No.14 OF 2021

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
	17.09.2025	<u>KL,J & BRMR,J</u> <u>I.A. No.1 OF 2025</u> Heard Mr. P. Ravi Kiran, learned counsel for the petitioner - appellant - husband and Mr. V. Venkata Kumar, learned counsel for the respondent - wife. The respondent had filed an application <i>vide</i> I.A. No.1 of 2022 seeking a direction to Consulate General of the United States of America, U.S. Citizen Services Unit, Paigah Palace, Secunderabad, to renew the Passport basing on application that would be made by the petitioner on behalf of her child, namely Sameek R. Pasham. <i>Vide</i> order dated 27.04.2023, this Court directed the petitioner herein to sign on relevant documents, which are required for renewal of passport, in case those documents are forwarded by the respondent - wife through her counsel. On renewal of passport, she shall deposit the same before learned Additional	

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		Family Court, Hyderabad. Such deposit shall be made within three (03) days from the date of issue of passport. On such deposit, learned Additional Family Court, Hyderabad, shall pass orders in any applications filed thereafter for getting custody of passport for any purpose whatsoever by either of the parties to the proceedings. The petitioner herein is seeking a direction to the respondent to deposit the renewed passport in compliance with the said order. Learned counsel for the respondent herein, on instructions, would submit that the respondent did not comply with the said order and the petitioner herein did not sign on the documents as directed by this Court. Even then, she got passport renewed as per the directives/guidelines issued by the Consulate General of USA. However, the respondent will deposit the original passport in compliance with the order dated 27.04.2023. In the light of the aforesaid submissions, this application is allowed directing the respondent to deposit the original passport of	

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		the child, namely Sameek R. Pasham before learned Additional Family Court, Hyderabad, within three (03) days from the date of receipt of copy of this order. However, liberty is granted to the parties to get custody of the passport for any purpose whatsoever as per the liberty granted by this Court <i>vide</i> order dated 27.03.2023 in I.A. No.1 of 2022. <u>I.A. No.2 OF 2025</u> “ Heard Mr. P. Ravi Kiran, learned counsel for the petitioner - appellant - husband and Mr. V. Venkata Kumar, learned counsel for the respondent - wife. This application is filed by the petitioner - appellant to direct the respondent to handover the child to him on every Sunday from 9.00 A.M. to 9.00 P.M. as per the orders passed by the trial Court. The petitioner herein has filed O.P. No.1200 of 2016 seeking custody of minor child, Sameek R. Pasham, who is aged about 12 years at present. The said OP was dismissed <i>vide</i> common order dated 05.10.2020 by learned Judge, Additional Family Court,	

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		Hyderabad. However, he was declared as guardian of minor son and he being natural father is having every right to visit his minor son. Therefore, learned Family Court directed the petitioner to pick up minor child at 9.00 A.M. on every Sunday from the residence of the respondent and he should drop minor son at the residence of the respondent by 9.00 P.M. after reopening of regular Courts. Meanwhile, the petitioner can have video chat with his minor son between 10.00 A.M. and 11.00 A.M. on every Sunday and the respondent is expected to make necessary arrangements. It is apt to note that there is no challenge to the said order by the respondent herein. However, the petitioner filed the appeal FCA No.14 of 2021 challenging the said order. Learned counsel for the petitioner, on instructions, would submit that the petitioner is in Hyderabad, whereas learned counsel for the respondent, on instructions, would submit that the minor child is studying 7th class in Hyderabad.	

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		Learned counsel for the respondent would contend that a direction may be given to the petitioner, respondent and the minor child to appear before a Psychologist/Counselling Centre for the purpose of assessing their psychological conditions. However, in the counter filed by the respondent, it is stated that learned Judge, Additional Family Court, Hyderabad, interacted with the child and on the dates of 23.06.2024, 30.06.2024, the respondent has taken back when the child was showing his disinterest to go along with the petitioner and for the same, the petitioner sought for contempt. It is further stated that to the directions of the Court in the contempt proceedings, the Court directed to produce the child accordingly, the respondent produced the child even before the Family Court. The attitude of the child was physically observed by the learned Family Court and, thereafter, when the Family Court ordered to produce the child before it on every Saturday or Sunday to the	

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		visitation of the child. The respondent even obeyed and brought the child to the premises of learned Family Court. Even to the same, the child disagreed to be in the Court. Thereafter, while the Court was continuing to produce the child, the respondent filed an alternative remedy of appointing an Advocate Commissioner with the choice of places of the child play and the same was also dismissed. At this juncture, when the trial Court was still posting for the child visitation and as the child is not cooperating, the respondent has reported same to the Court and pleaded for the disposal of the contempt case. It is further stated that as the same was not accorded, the respondent has left with no option but for abstain to the proceedings of the learned trial Court in a frustration. As the order was passed on 17.03.2025 by learned Family Court in the contempt proceedings, neither the respondent nor her counsel was present as her counsel was suffering from spondylosis for four (04) months.	

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		On consideration of the said aspects only, <i>vide</i> impugned order dated 05.10.2020, learned Judge, Additional Family Court, Hyderabad, directed the petitioner to pick up minor child at 9.00 A.M. on every Sunday from the residence of the respondent and he should drop the minor son at her residence by 9.00 P.M. Now, the respondent cannot oppose the present application. There is no challenge to the order dated 05.10.2020 in O.P. No.1200 of 2016 passed by learned Judge, Additional Family Court, Hyderabad by the respondent herein. It attained finality. In the light of the aforesaid discussion, we are not inclined to accept the proposal/suggestion made by learned counsel for the respondent. Therefore, this application is ordered. The respondent herein is directed to hand over the child to the petitioner on every Sunday from 9.00 A.M. to 9.00 P.M. as ordered by learned Judge, Additional Family Court, Hyderabad, <i>vide</i> common order dated 05.10.2020 in O.P. No.1200 of 2016.	

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		<u>FCA No.14 OF 2021</u> List on 27.10.2025. KL,J BRMR,J Mgr	

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