



HIGH COURT OF JUDICATURE AT ALLAHABAD

FIRST APPEAL No. - 88 of 2026

Asif Aalam Siddiqi

.....Appellant(s)

Versus

Smt Anam Hashmi

.....Respondent(s)

Counsel for Appellant(s)	:	Avinash Pandey
Counsel for Respondent(s)	:	

Court No. - 29

HON'BLE ARINDAM SINHA, J.
HON'BLE SATYA VEER SINGH, J.

1. Mr. Avinash Pandey, learned advocate appears on behalf of appellant-father. He submits, custody of the son was given to respondent-mother on judgment dated 26th August, 2022 of the Family Court. His client did not have notice of the proceeding. On discovery he applied for setting aside the ex-parte judgment. On judgment dated 2nd January, 2026 the Family Court rejected his application. Being aggrieved his client presented the appeal in time.
2. This Court take up both the judgments in adjudication of the appeal. Mr. Mehendi Abbas, learned advocate appears and files his power executed by respondent. He seeks service. Mr. Pandey submits, service will be made by tomorrow. In the circumstances, formal notice of appeal is dispensed with.
3. The lower Court record be called for. Appellant will provide English translation of both judgments, on adjourned date.
4. Mr. Pandey presses for interim stay of impugned judgment. Considering the judgment under appeal, for purposes of reckoning prescribed period, is subsequent judgment dated 2nd January, 2026 and respondent has been twice successful in the Family Court as also filed for execution, prayer for stay is rejected at this stage.
4. List on 17th March, 2026 as fresh.

February 10, 2026
sailesh

(Arindam Sinha,J.)

(Satya Veer Singh,J.)