

Court No. - 39

Case :- FIRST APPEAL No. - 780 of 2018

Appellant :- Navinderjeet Kaur

Respondent :- Sukhdeep Singh

Counsel for Appellant :- Pramod Kumar Sinha

Counsel for Respondent :- Mewa Lal Shukla, Nitin Sharma, Varinder Singh, Vikrant Gupta

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Donadi Ramesh, J.

1. Exemption application along with compliance affidavit filed by the appellant is taken on record.
2. Heard Shri Pramod Kumar Sinha, learned counsel for the appellant and Shri Nitin Sharma, learned counsel for the respondent.
3. Vide order dated 18.12.2018, visitation rights have been created in favour of the respondent. Those have not been effectuated.
4. In such circumstances, arising from the earlier order, parties are present in the Court along with minor son born to them. The daughters' presence is exempted for reason of her studying at boarding school at Shimla.
5. We have allowed for brief interaction to arise between the parties especially between the respondent and the minor son born to him.
6. The parties are at dispute as to the real reasons and the circumstances in which the visitation rights created vide order dated 18.12.2018 could not be availed by the respondent. Those may be gone into later. At present interaction between the respondent and his children must arise. Since the appellant has re-

located to Rudrapur and thereafter to Mohali, in the State of Punjab, in any case the order dated 18.12.2018 could not be given effect.

7. Thus it has been agreed between the parties and it is provided, pending further consideration in the present appeal proceedings, let visitation rights be availed by the respondent to meet his minor son Awardeep Singh twice a month, once at Mohali and another at Prayagraj as suggested in paragraph 4 of the affidavit filed.

8. The respondent may meet his son at Mohali (on every second Saturday) and at Mediation Centre attached to this Court (on every fourth Saturday) beginning September, 2024. He may be allowed visitation rights as below:-

(a) The respondent shall provide his mobile number to his wife (appellant) during the course of the day. Likewise, the appellant will also provide her mobile number to the respondent so that they are in a position to contact each other on the second Saturday of every month starting from September, 2024 to arrange for a meeting with his son at the abovementioned place at 11.00 A.M. The contact number provided by both the parties are, the mobile number of the respondent is 9837329802 and the mobile number of the appellant is 9501133827.

(b) Upon reaching the place mentioned above, the respondent shall bring her son to the above mentioned place and let him remain with the respondent there upto 02.30 P.M.

(c) While the son may remain in the company of the respondent, as above, the appellant would not interfere in the interaction between the respondent and his son during such normal interaction.

(d) As indicated above, the respondent shall not take away his son

outside those premises, though it shall be open to him to treat him to lunch etc. within the premises or to take him for any kind of entertainment meant for children that may be available at the premises.

(e) Also on every 4th Saturday of the month (except holidays) beginning September, 2024 both the parties with their son shall remain present in the Mediation Centre attached to this Court so that they may reach that Mediation Centre at 10.30 A.M. to allow for interaction to arise between the respondent and his minor son Awardeep Singh, at that place.

(f) While no specific order is being passed with respect to the daughter born to the parties namely Saheb Kaur, it is expected, subject to her availability either at Mohali on any of the second Saturday or at Prayagraj on all or any fourth Saturday, the appellant would allow for visitation rights to be availed by the respondent *vis a vis* to her.

9. The aforesaid arrangement shall continue initially for a period of three months.

10. List again on 04.12.2024, on that date compliance affidavit be filed by both the parties to disclose the compliance shown by each party and also further measures.

11. Let a copy of this order be communicated to the Mediation Centre by learned counsel for the respondent by 03.09.2024.

Order Date :- 29.8.2024

A Gautam

(Donadi Ramesh,J.) (S.D. Singh,J.)