

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.5490/2001

(From the judgement and order dated 10/10/2000 in FAFO 633/99
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JIT KAUR & ORS.

Petitioner (s)

VERSUS

BALBIR KAUR

Respondent (s)

(With prayer for interim relief & Office Report)

Date : 28/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. Sugriv Dubey,Adv.
Mr. Yogesh Sharma,Adv.
Ms. Naresh Bakshi,Adv.

For Respondent (s) Mr. R. Venkataramani,Sr.Adv.
Mrs.K. Sarada Devi,Adv.

UPON hearing counsel the Court made the following
O R D E R

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.SP2

After hearing learned counsel for the parties for
a while, the Court dictated an order granting leave and
allowing the appeal with no order as to costs.

.SP1
(Neelam Kawatra) (S. Krishnan)
Court Master Court Master

Signed order is placed on the file.

CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 807 OF 2002@@
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(Arising out of S.L.P.(C)No. 5490/2001)

Jit Kaur & Ors.

Appellant (s)

versus

Balbir Kaur

Respondent (s)

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Leave granted.

We have heard learned counsel for the parties and perused the record. In view of the fact that the child is of ten years of age and is living with the grand-mother and also desires to remain with her, we, therefore, find that the High Court was not correct in allowing the appeal. In that view of the matter, we set aside the judgment under challenge. However, the respondent-mother shall have visitation right to meet the child on 4th Saturday of each month at the residence of the appellant.

The appeal is allowed. There shall be no order as to costs.

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.....J
(V.N. Khare)

New Delhi,
January 28, 2002.

.....J
(Ashok Bhan)