



child. On notice, respondent No.1 filed an application for vacating the interim order. By the impugned order, the Division Bench of the High Court disposed of the stay vacate petition. The relevant portions thereof read as under:

"(i) Smt.P.Meghana, mother of the minor child-Ashrita is permitted to take the minor child to United States of America along with her, subject to condition that she shall bring the minor child once in a year to India and facilities the appellant to have his visiting rights.

(ii) The appellant, the father of the minor child, is directed to cooperate with the mother of the minor child in obtaining passport of the minor child from U.S.Consulate, Hyderabad either in person or signing in the required papers.

(iii) The appellant shall have the visiting rights as and when the minor child is in India as already ordered in the F.C.O.P. The appellant is at liberty to file an application for modification of the visitation rights to more number of days, as and when the minor child is in India."

Shri Jaydeep Gupta, learned senior counsel argued that if the child is allowed to be taken to United States of America, his client's visiting rights will be totally frustrated and, therefore, the respondents be directed to continue the study of the child in India.

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We have considered the submission of the learned counsel but have not felt impressed. In our view, the directions given by the High Court do not suffer from any patent legal infirmity, which may require interference under Article 136 of the Constitution. Admittedly, the minor child-Ashrita is a citizen of United States of America. Therefore, the petitioner cannot legitimately object to her being admitted in a school in that country.

With the above observations, the special leave petitions are dismissed.

However, on the suggestion made by the learned senior counsel appearing for the petitioner, we request the High Court to send the matter to the Mediation Centre so that possibility of an amicable settlement of dispute between the parties could be explored.

( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master