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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 07.11.2025

+ MAT.APP.(F.C.) 394/2025, CM APPL. 69225/2025 and CM APPL. 69226/2025

REETIKA

.....Appellant

Through: Ms. Geeta Luthra, Sr. Adv.
with Ms. Kanika Baweja, Mr.
Rishabh Dahiya, Ms. Jaishree
Bhadauria and Ms Spriha Jha,
Advs.

versus

RAJINDER KUMAR JINDAL & ANR.

.....Respondents

Through: Mr. Vijay Singh, Mr. Ashwini
Kumar and Mr. Shubh Goyal,
Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

J U D G M E N T (O R A L)

ANIL KSHETARPAL, J.

1. The present appeal has been filed assailing the judgment dated 27.09.2025 [hereinafter referred to as 'IJ'] passed by the Family Court, Tis Hazari Courts, Delhi [hereinafter referred to as 'FC'], whereby the Guardianship Petition (GP) filed by the Respondents/Grandparents was rejected. However, taking into account the peculiar facts and circumstances of the case, the FC granted the



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Respondents/Grandparents limited visitation rights; specifically, one opportunity to meet their 17-year-old granddaughter/minor child.

2. The brief factual matrix leading to the filing of the present Appeal are that the Appellant was married to Mr. Puneet Jindal, son of the Respondents', out of the said wedlock a daughter was born on 28.08.2008. Unfortunately, Mr. Puneet Jindal passed away on 18.11.2012, leaving behind his widow (the Appellant) and their minor daughter [hereinafter referred to as 'minor child']. Subsequently, on 27.11.2015, the Respondents filed the GP under the Hindu Minority and Guardianship Act, 1956, seeking custody of the minor child. However, it is pertinent to note that prior to the filing of the said GP, the Appellant had remarried Mr. Parveen Aggarwal on 29.04.2013, who also has a son from his previous marriage.

3. While adjudicating the GP, the FC declined to appoint the Respondent No.1 as a guardian of the minor child, nevertheless, a single opportunity was granted to them to meet the child for two and a half hours on 2nd Saturday of November 2025 at 12 Noon at Embassy Restaurant, 11-D, Connaught Place, New Delhi. Additionally, the FC also directed the maternal grandfather to deposit Fixed Deposit Receipts (FDRs) amounting to Rs. 52 lakhs against a sale of freehold plot bearing no. 62 situated at Northex, Model Town, Delhi-110009 purchased in the joint names of the Appellant and late Mr. Puneet Jindal, now belonging to the minor child, before the Court, enabling her to withdraw the amount upon attaining the age of majority, i.e. 18 years. Significantly, this sum of Rs. 52 lakhs had been handed over by



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the brother of the Respondent No.1 to widow of his deceased nephew, towards her share in the property.

4. This Bench has heard learned counsel representing the parties at length and with their able assistance has perused the paper book as well as the trial court record.

5. Learned senior counsel representing the Appellant, while controverting the directions of the FC has made the following submissions :-

5.1 It is contended that the minor child has, till date, remained unaware of the identity of her biological father. She has always been under an impression that Mr. Parveen Aggarwal, the Appellant's second husband, is her real father. It is submitted that any meeting with the Respondents may inevitably lead to disclosure of this fact and such disclosure may cause serious emotional disturbance to the minor child.

5.2 It is further contended that the applications previously filed by the Respondents seeking interim visitation rights were dismissed by the FC but were never challenged before any higher courts.

5.3 It has also been emphasized by the learned senior counsel that the Respondents have not met the minor child for nearly 12 years, and at this stage, when the child is at a crucial stage of her studies and in her academic career, any sudden reintroduction to the grandparents into her life has the potential to cause emotional distress and disruption.



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5.4 Additionally, it has also been argued that in terms of the settlement dated 25.03.2014, the custody of the minor child was expressly granted to the mother (the Appellant) and the Respondents had, at that time, voluntarily relinquished any right over the child's custody.

5.5. The next argument of learned senior counsel representing the Appellant is with respect to the direction of the FC to deposit FDRs amounting to Rs. 52 lakhs, which was received by the minor child against her share in the sale of the property, after the death of her biological father Mr. Puneet Jindal.

6. *Per contra*, learned counsel representing the Respondents has made following submissions:

6.1 It has been submitted that the FC vide the IJ has merely granted the Respondents a single opportunity to meet and interact with their granddaughter. He submits that once the minor child attains the age of 18 years, the Respondents will have no legal right or opportunity to interact with her against her wishes.

6.2 Upon a query raised by this Court, learned counsel representing the Respondents disclosed that the grandfather has been regularly investing small amounts in Public Provident Funds (PPFs) account opened in the name of the granddaughter. At present, the said account carries a total balance of approximately Rs. 11 lakhs. He further submits that the Respondents are also prepared and willing to contribute an additional amount of Rs. 14 lakhs towards the studies and future marriage expenses of the granddaughter.



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7. This Court has heard the learned counsels representing the parties at length and has examined the matter.

8. At the outset, it is imperative to note that it is evident from the record that the FC had an interaction with the minor child on 18.08.2017. During the said interaction, it was brought to the notice of the FC that the minor child was not willing to meet the Respondents and seemed to be under total dominance and influence of the Appellant. In the opinion of this Court, the minor child, now 17 years of age, is mature enough to comprehend familial relationships. The Respondents/grandparents, who have lost their son, are looking forward to meeting their granddaughter, whom they have not seen for more than 12 years.

9. In view of the aforesaid circumstances, the question that arises is whether this Court should interfere with the direction passed by the learned Family Court, which merely granted the Respondents an opportunity to meet their granddaughter. The answer to the aforesaid question is clearly negative. The minor child is now of sufficient maturity to know and understand her actual relationship with the Respondents. Moreover, the Respondents have already expressed their willingness to contribute financially towards the welfare of the minor child.

10. The failure on account of the Respondents to challenge the earlier interim orders does not, in any manner, debar the Court from passing appropriate direction *vide* the final judgment. It is pertinent to note that the FC has not conferred any custodial, guardianship or



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similar rights upon the Respondents, except permitting them to visit their granddaughter once.

11. Further, this Court has also examined the settlement dated 25.03.2014, wherein the custody of minor child was granted to her mother (the Appellant). However, such settlement cannot be construed as an absolute bar preventing the Respondents from meeting their granddaughter at least once.

12. With respect to the argument raised by the learned senior counsel for the Appellant concerning the amount of Rs. 52 lakhs deposited in FDRs by the maternal grandfather of the minor child, it is noted that during the cross-examination of the Appellant, she deposed that her father was aware of the said amount which had been received by her towards the sale proceeds of the share of property belonging to the minor child.

13. When the father of the Appellant entered the witness box for evidence, he candidly admitted that the aforesaid amount had been invested by him, with an intent to ensure its availability in the future for the welfare and benefit of the child. He further acknowledged that a portion of the said amount has been invested in FDRs, which are in the name of his daughter (the Appellant), however, the same was intended exclusively for the benefit of the minor child.

14. Therefore, it was in that context that the FC directed the Appellant and her father to deposit FDRs amounting to Rs. 52 lakhs within 15 days from the date of the judgment. Having regard to the fact that the minor child has now attained the age of more than 17



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years and that upon attaining majority she would be entitled to move an appropriate application for the release of the said FDRs, the aforesaid direction of the FC was evidently issued with a view of safeguarding the interest and welfare of the minor child. Moreover, it remains undisputed that the aforesaid amount rightfully belongs to the minor child.

15. Keeping in view the aforesaid facts and circumstances, this Court finds no ground to interfere with the direction issued by the FC with respect to the deposition of sum of Rs. 52 lakhs, which is manifestly in furtherance of the welfare and best interests of the minor child.

16. However, the Respondents shall remain bound by their undertaking and are directed to hand over the details of the PPF account and to prepare and deposit FDR of Rs. 14 lakhs before the FC within a period of next two weeks. In the event of default on behalf of the Respondents to deposit the said amount, the Appellant or her daughter shall be at liberty to execute the decree in accordance with law.

17. At this stage, after the order has already been dictated in the open Court, learned senior counsel representing the Appellant, submits that the present appeal being a first appeal, ought not to have been dismissed *in limine*. She further contends that the present appeal, being a first appeal preferred by the Appellant, deserves to be admitted and after calling for the record of the case, it should be heard and decided finally on merits.



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18. The argument raised by the learned senior counsel has been duly considered by this Court. In substance, the petition filed by the Respondents (grandparents) under Section 13 of the Hindu Minority and Guardianship Act, 1956, seeking a declaration appointing Respondent No.1 as the guardian of the minor child and claiming her permanent custody in favour of the Respondents, stood dismissed by the FC.

19. The FC, while dismissing the said petition, limited its directions only to two limited points, *firstly*, it granted visitation rights to the Respondents to meet the minor child for two and a half hours only on a single occasion, and *secondly*, it directed the Appellant and her father to deposit Rs. 52 lakhs, which admittedly belongs to the minor child. These directions issued by the FC are merely ancillary in nature, with an aim to safeguard the welfare of the minor child and does not in any way deter either the substantive right of any of the parties or touch upon the substantive adjudication of guardianship or custody of the minor child. Accordingly, the aforesaid issues do not warrant any re-appreciation of evidence or reconsideration of factual findings already determined by the FC.

20. Moreover, in the opinion of this Court, keeping such an appeal, or appeals alike, pending would not subserve the ends of justice. On the contrary, if this Court starts dealing with issues alike in extensive detail, it will only result in unnecessary prolongation of proceedings that have already attained finality on the substantial issues. This Court, being an Appellate Court, discourages the continuation of proceedings that serve no meaningful legal purpose, particularly in matters



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concerning the welfare of a child, where any or every delay itself can be detrimental to the substantive rights of the minor child.

21. Moreover, a perusal of record and the examination of argument raised by the Appellant, fails to satisfy the conscience of this Court that any specific challenge has been raised on behalf of the Appellant with respect to the correctness of appreciation of evidence by the FC as recorded in the IJ. Therefore, the Appeal fails to disclose any error of law or perversity warranting interference by this Court.

22. In the aforesaid circumstances, it is not considered appropriate to keep the present Appeal pending, particularly, when it does not fall within the scope and ambit of a regular first appeal filed under Section 96 of the Code of Civil Procedure, 1908. Consequently, the jurisdiction exercised by this Court in the present proceedings is limited in nature and does not require a complete re-hearing or re-evaluation of evidence as would be permissible in a regular civil appeal.

23. It is pertinent to note that expeditious disposal of the cases is the need of the hour to reduce the backlog in the Courts, as such sincere efforts must be made to dispose of small issues at the threshold without an unnecessary prolongation of the matters. This objective also seamlessly aligns with the intentions of the Family Court Act, 1984, which prescribes a statutory mandate to adopt a conciliatory, time bound and speedy settlement of family disputes. Therefore, prolonging appeals involving ancillary or procedural directions would defeat the very purpose of the legislation which seeks to secure the



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prompt and sensitive adjudication of family disputes, keeping the welfare of the child of paramount consideration.

24. In light of the foregoing discussion and keeping in view the limited direction issued by the FC; restricting the involvement of the Respondents to a single, carefully supervised meeting, along with a direction to deposit Rs. 52 lakhs which admittedly belong to the minor child; this Court is of the view that no interference is warranted at this stage, more so since the order materially fails to affect the substantial rights vested in the parties.

25. The present Appeal, along with all pending applications, stands disposed of in the above terms.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

NOVEMBER 07, 2025/sp/hr