



2025:DHC:3487-DB



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

*Date of decision: 09.05.2025*

+ MAT.APP.(F.C.) 176/2025 & CM APPL. 28201/2025  
PUSHPENDER .....Appellant

Through: Mr.Shaurya Sethi, Mr.Sanjeev  
Kumar, Advs. with appellant

versus

SONIA CHOUDHARY .....Respondent

Through: Mr.Bibhuti Bhushan Mishra,  
Mr.Rohit Kalar, Mr.Jitender  
Kumar, Mr.Ravinder Tomar,  
Mr.Shivam Mishra, Advs. with  
respondent.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE RENU BHATNAGAR**

**NAVIN CHAWLA, J. (ORAL)**

1. This appeal has been filed by the appellant, challenging the Order dated 02.05.2025 passed by the learned Judge, Family Court-02, Shahdara District, Karkardooma Courts, Delhi (hereinafter referred to as 'Family Court') in GP No.88/2024 titled *Sonia Choudhary v. Pushpender*, directing that the children should be admitted to a school preferably located near the residences of the parties and that for this purpose, the custody be handed over by the school, where they were recently admitted, to the respondent herein.



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2. As far as the school is concerned, the learned counsels for the parties submit that the parties have amicably decided that the children will now be admitted to the Vivekanand Public School, Anand Vihar, Delhi. They have obtained the necessary permission from the school that the children will be duly admitted there. The parties have also agreed that they shall jointly approach the school and comply with the admission process. The expenses for admission shall be borne by the parties in equal proportion. As the custody of the children is presently with the respondent, the respondent shall bring the children to the above-named school on 10.05.2025 at 9.00 A.M. for the admission process.

3. As far as the custody is concerned, the learned Family Court was primarily dealing with the issue of the change of school of the children. The issue of the custody has not been determined by the learned Family Court. Therefore, this issue shall be decided by the learned Family Court after hearing the learned counsels for the parties.

4. We are informed that the above petition is listed before the learned Family Court today itself. As the learned counsels for the parties are appearing before us, they have requested that the matter be listed before the learned Family Court on 14.05.2025. It is so directed.

5. As per the Impugned Order, the custody of the children is with the respondent. It shall remain with her until 14.05.2025.

6. We request the learned Family Court to consider and pass appropriate directions with respect to the custody and visitation rights of the children, at least on an *interim* basis, on the said date, that is,

