



\$~6(Supplementary List) /17(Advance List)

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

+ MAT.APP.(F.C.) 282/2018, CM APPL. APPL. 34442/2020 (On b/o appellant seeking direction to respondent) & CM APPL. 34443/2020 (exemption)

LUV CHAUDHARY

.....Appellant

Through: Ms. Geeta Luthra, Sr. Advocate  
alongwith Mr. Anshul Duggal, Mr. Varun  
Dewan & Ms. Damini Thaker, Advocates.

versus

SHRUTI AGARWAL

....Respondent

Through: Mr. Pravir Kumar Jain, Mr. Subhash  
Chand & Mr. Arjav Jain, Advocates.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

% **23.12.2020**

**HEARD THROUGH VIDEO CONFERENCING.**

**CM APPL. 34443/2020 (exemption)**

Allowed, subject to all just exceptions.

**CM APPL. APPL. 34442/2020 (On b/o appellant seeking direction to respondent)**

1. The present application has been moved by the appellant/father praying *inter alia* for grant of the custody of the minor child of the parties for half of the school winter vacations commencing from 31.12.2020 and ending on 10.01.2021.

2. Ms. Geeta Luthra, learned Sr. Advocate appearing for applicant/father draws the attention of this court to the orders dated 21.12.2018 and 06.12.2019, passed by the predecessor Bench and the order dated 02.06.2020, passed by this Bench and states that on 06.12.2019, the parties had agreed that for the winter



vacations, the child will remain with the mother for 7 days (30.12.2019 to 05.01.2020) and with the father for 5 days (06.01.2020 to 10.01.2020) on agreed terms as reflected in the earlier order dated 21.12.2018. The arrangement for picking up and dropping the child was also recorded. It is submitted that similar orders may be passed for the coming winter vacations of the child.

3. We have enquired from Mr. Pravir Kumar Jain, learned counsel for the respondent as to which part of the winter vacations would be convenient to the mother for retaining the custody of the child. He states on instruction that the child may be permitted to remain with the mother for the period between 31.12.2020 to 04.01.2021 and with the father from 05.01.2021 to 09.01.2021.

4. It is directed that the child will be picked up by the appellant/father from the residence of the mother on 05.01.2021, at 11.00am and be handed back to the mother on 10.01.2021, by 11.00am. The appellant/father shall ensure that the child remains in Delhi during his stay with him due to the current COVID-19 pandemic situation. The child shall not be taken to crowded markets/Malls etc. to avoid any infection.

5. The application is allowed and disposed of on the above terms.

**HIMA KOHLI, J.**

**SUBRAMONIUM PRASAD, J.**

**DECEMBER 23, 2020**

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