

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

105

CWP-7583-2023

Date of Decision : January 24, 2025

AMYRA PAHWA (MINOR) AND ANR -PETITIONERS

V/S

STATE OF HARYANA AND OTHERS -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vivek Lamba, Advocate
 for the petitioners.

Mr. Bhupender Singh, D.A.G., Haryana.

Mr. Jayant Bhatt, Advocate (Through V.C.) with
Mr. Mekhola Bhatt, Advocate
Mr. Satyam Tandon, Advocate
Ms. Vasundhara, Advocate and
Ms. Sadiya Ali, Advocate
for the respondent No.4.

KULDEEP TIWARI, J. (ORAL)

1. The petitioners, being minor, have instituted the instant writ petition through their father. The relief(s) yearned to be reaped through institution of this writ petition appertains to setting aside the decree of divorce/directions/settlement *qua* visitation rights and temporary custody of the petitioners with the respondent No.4.

2. Concisely speaking; on the basis of mutual consent, the marriage of the petitioners' parents was dissolved by the Family Court concerned through passing the decree of divorce dated 19.07.2021. This decree was the outcome of a mutual settlement between the petitioners' parents, wherethrough, it was agreed that the respondent No.4 (petitioners' mother) would have visitation rights of the petitioners. This

mutual settlement is annexed as Annexure P-3 with this writ petition and contents thereof are also made a part of the decree of divorce. However, now on account of supervening events, the terms/settlement appertaining to visitation rights of the respondent No.4 have been assailed through institution of this writ petition.

3. This Court posed a specific query to the learned counsel for the petitioners regarding maintainability of this writ petition, wherethrough, the contents of the decree of divorce are craved to be modified/changed. However, the learned counsel for the petitioners is unable to make any satisfactory response in this regard.

4. Consequently, the instant writ petition is **dismissed**, being non maintainable. However, in case the petitioners have any apprehension to their life and liberty, and/or, grievance with regard to conduct of their mother (respondent No.4) which causes difficulty to them, they are at liberty to approach the appropriate authority/forum concerned.

5. It is also directed that, the amount of ₹ 5,00,000/- deposited by the petitioners before this Court, shall be released in their favour.

January 24, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No