

HON'BLE SRI JUSTICE DILIP B. BHOSALE

CIVIL REVISION PETITION No.3770 of 2014

ORDER :

Heard learned counsel for the petitioner.

2. This civil revision petition is filed by the husband seeking direction to the Family Court to dispose of his petition bearing I.A.(SR).No.3785 of 2014 in F.C.O.P.No.738 of 2014 within time frame.

3. It appears that a Family Court Original Petition bearing No.738 of 2014 has been filed by the respondent-wife under the provisions of Guardians and Wards Act, 1890. In this petition, the petitioner has filed I.A. (SR).No.3785 of 2014 seeking visitation right. The petitioner and the respondent have been residing separately since February, 2013 and their both the minor children, aged 4 years and 1 year are with the respondent-wife. In this backdrop, the petitioner seeks direction to the Court below to decide his interim application within time frame.

4. Learned counsel for the petitioner submits that at this stage the petitioner is not seeking custody and he would be satisfied if he is allowed to meet the children.

5. In the circumstances, I am satisfied that the civil revision petition can be conveniently disposed of even without issuing notice to the respondent by the following order:

6. The petitioner to file an "application" before the Family Court seeking expeditious hearing of I.A.

(SR).No.3785 of 2014, and if any such application is made, the Family Court shall consider the same sympathetically and decide the interim application No.3785 of 2014, seeking visitation right, as expeditiously as possible and within two months from the date of the such “application”. It is needless to mention that the Family Court shall not pass any order on I.A.No.3785 of 2015 without giving an opportunity of hearing to the respondent-wife. It is made clear that this Court has not examined merits of the case.

7. With these observation and direction, the civil revision petition is disposed of. Consequently, pending miscellaneous petitions, if any, also stand disposed of. No order as to costs.

JUSTICE DILIP B.

BHOSALE

31.12.2014.

Msr

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