

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1018 OF 2007

Dr. Rajkumar S. Singh	.. Petitioner
vs.	
Dr. Anamika @ Farzana R. Singh	.. Respondent

None for both the parties.

CORAM : M. S. SONAK, J.
DATE : 17 DECEMBER 2015.

P.C. :-

- 1] Neither the parties nor their advocates are present.
- 2] The challenge in this petition is to the order dated 19 December 2006 made by the Family Court, Mumbai, in the matter of access to Arya, the minor son of the Petitioner and Respondent.
- 3] The impugned order came to be made in Petition No. A-137 of 2005. At this point of time, it is reasonable to presume that the main petition has itself been disposed of. In any case, directions are issued to dispose of the main petition, within a period of six months from the date of receipt of authenticated copy of this order.
- 4] This Court from time to time has made the orders in the matter of access and directions connected therewith. In particularly,

reference is required to be made to the order dated 3 May 2007 and the report of the Dr. Manoj L. Bhatawdekar placed on record by the parties. In matters of access, there is never any finality as such to the orders made. Depending upon the variation in circumstances, the parties are always at liberty to apply for variation in such orders. At this point of time and in absence of assistance from the parties or their counsel, it is not possible for this Court, to vary the impugned order. The directions for expeditious disposal of main petition have already been given, in case, the main petition is not disposed of by now. In any case, liberty is granted to the Petitioner to seek variation before the Family Court. In case, such variation is applied for, the Family Court, depending upon the facts and circumstances, as they now exist, to make appropriate orders after afford of opportunity of hearing to the parties.

5] With the aforesaid observations, this petition is disposed of.

6] Since, neither the parties nor their advocates are present, the Registry is directed to transmit the authenticated copy of this order to the Family Court No.5 at Bandra, Mumbai, which is taking up Petition No.A-137 of 2005, within a period of fifteen days from

today. The Family Court No.5, Bandra, Mumbai is requested to issue notice to the parties and proceed to dispose of the main petition, if not disposed of, as per the directions given in this judgment and order.

7] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

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