

vat

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 333 OF 2015
IN
FAMILY COURT APPEAL No. 142 OF 2014

Kunwar Singh BediApplicant
Vs.
Mrs.Sonia Kunwar Singh BediRespondent

Mr.Kunwar Singh Bedi for Applicant
Mr. Nirman Sharma i/b. Dastur Dadhich & Kalambi for Respondent

CORAM : V. M. KANADE &
Dr. SHALINI PHANSALKAR-JOSHI, JJ.

DATE : OCTOBER 9, 2015

P.C. :

1. We have heard the Applicant, who is appearing in person at length. The question of access which has been considered by the earlier Bench of Shri Ranjit More & Smt. Anuja Prabhudessai, JJ, and a direction was given to the Applicant to go to the Counselor. This order was challenged by the Applicant in the Apex Court. The Apex Court has confirmed the said order passed by this Court.
2. By this civil application No. 333 of 2015, the Applicant is seeking the following reliefs:

“(a) That this Hon'ble Court may be pleased to pass an order stating that Child Counseling be taken up in Mumbai by Psychiatric Counselor Mrs. Sunita Mehta or the Court

Appointed Psychiatrist / Child Counselor Mrs. Freni Italia.

(b) Alternatively, this Hon'ble Court may be pleased to direct any or all amongst Mrs. Sunita Mehta, Mrs. Freni Italia and Psychiatrist Dr. Vahia to submit their reports in this matter.

(c) That, in the light of the discussion above, the Hon'ble Court may be pleased to direct the Respondent to file her Maintenance Petition.

(d) That such other and further reliefs as are necessary may be granted in favour of the Applicant. “

3. In the application, he has stated in paragraph 20 (I) that he has no objection if either two persons viz. Dr. Shoba Srinath who is head of Child and Adolescent Psychiatry or Dr. Shekhar Seshadhari, who is a professor in the same department from Bangalore are appointed for the purpose of counseling.

4. The learned counsel for the Respondents has submitted that the wife has no objection if counseling is done by Dr. Shekhar Seshadhari at Bangalore. It is submitted that it will not be possible for the Respondent -wife to come all the way from the Bangalore.

5. In our view, it would be appropriate if the parties are referred to Dr. Shekhar Seshadhari for counseling. Both the parties to take an appointment. So far as request made by the Petitioner for modification

of the said order on the basis of the photographs is concerned, now it is not possible for this Court to consider the said request made by the Petitioner since we cannot change or alter the order passed by the earlier Bench, more particularly, after it was confirmed by the Apex Court. After the counseling session is over, the Applicant may, on the basis of the report of the counseling, apply for access. Civil Application No. 333 of 2015 is disposed of.

Parties to act on an authenticated copy of the order.

[Dr. SHALINI PHANSALKAR-JOSHI, J.]

[V. M. KANADE, J.]