

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11399 OF 2015**

Anita Chandrasen Jadhav

Petitioner

Vs

Chandrasen Ganpatrao Jadhav

.. Respondent

Mr.Ranjeet Patil, Advocate for Petitioner.

Mr. Dilip Shinde i/b Vikas M.Mali, Advocate for the Respondent.

CORAM : R.G.KETKAR,J.

DATE : 11/12/2015

PC:

1. Heard Mr.Ranjeet Patil, learned counsel for the petitioner and Mr.Dilip Shinde, learned counsel for the respondent.

2. Rule. Mr. Shinde waives service for the respondent. At the request and by consent of the parties, Rule is made returnable forthwith and Petition is taken up for final hearing.

3. By this Petition under Article 227 of the Constitution of India, the petitioner-wife has challenged order dated 30.10.2015 passed by the learned Adhoc District Judge, Solapur directing the petitioner to produce Ms Arpita aged about 9 years and Master Aryan, aged about 8 yrs on every Saturday, Sunday and public holidays in police station Palus at 10 am in Women Assistance Room and hand over custody of the children to the respondent. On the same day at 5pm, the respondent is directed to hand over custody of the children to the petitioner.

4. Mr.Patil states that on every Saturday children are

attending school between 8 am and 2 pm. He states that on every Saturday the petitioner will produce children at 3 pm at Palus police station and the respondent may be directed to return custody of the children to the petitioner at 7 pm.

5. Mr. Shinde, upon taking instructions from the respondent who is present in the Court, has no objection for modification of the order dated 30.10.2015 only in respect of Saturdays.

6. In view thereof, by consent the order dated 30.10.2015 stands modified in respect of every Saturday. This arrangement shall operate unless, of course, Saturday is also public holiday.

7. Mr. Patil states that the petitioner is present in the court. He has tendered photocopy of her I-card. Same is taken on record and marked "X" for identification. Upon taking instructions from the petitioner, Mr. Patil states that the petitioner will comply the order dated 30.10.2015 as modified. Statement made, on instructions, is accepted in the form of undertaking.

8. Rule is made absolute in aforesaid terms with no order as to costs.

(R.G.KETKAR, J.)