

WRIT PETITION NO. 1687 OF 2016

V/s.

Mr. P.V. Dhopatkar for the petitioner.
Ms. G.P. Mulekar, APP for the State.

29th August, 2016.

P.C.

2. Respondent no.5 party-in-person is present in Court. He states

that he is an auto rickshaw driver. On a brief interaction with party-in-person he stated that he is unable to engage a lawyer due to financial constraint. Respondent no.5 has shown keen interest in taking care of the child till the child reaches five years of age and thereafter the custody would be handed over to the father of the child.

3. The petitioner is present in Court alongwith his father. The petitioner at present is working in Saudi Arabia. He is leaving country tomorrow and would be coming back on 9th September, 2016 after finishing his work contract in Saudi and would start residing here, according to petitioner. The petitioner submits that being father the custody must be given to him and he would take very good care of the child. The petitioner's mother resides with him. There need not be any apprehension on the part of respondent no.5 that petitioner would not take proper care of the child. Learned Counsel appearing for petitioner submitted that financial position of the petitioner is better and he can provide all the necessary facilities in upbringing the child.

4. The police officer of the concerned police station is present in Court.

5. Taking into consideration facts and circumstances of the case, we pass following order:

ORDER

(a) The custody of child (son of the petitioner) be handed over from respondent no.5 and his family to the petitioner on 11th September, 2016 at Parksite Police Station, Vikhroli (W) between 11.00 a.m. to 1.00 p.m.. The police officer would keep the record of the same by obtaining signature of the parties.

(b) Respondent no.5 and his family members shall be permitted to meet the child once in a week, as per the convenience of parties.

6. With aforesaid directions and observations, Petition stands disposed of.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)