

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

908 FIRST APPEAL NO. 1989 OF 2016

AMOL SURESH KHANDVE
VERSUS
PRATIBHA AMOL KHANDVE

...

Advocate for Appellants : Mr. Kshitij Surve
Mr. S B Gastgar, Adv. For R/sole..

CORAM : P.R.BORA, J.

DATE : 19th July, 2017.

PER COURT :

1) Heard. The present appeal is filed taking exception to the order passed below Exhibit-38 in Petition No.A-199/2014 by the Family court, at Aurangabad. The aforesaid application was filed by the present appellant seeking custody of his minor daughter during summer vacation of 2016.

2) In fact, the issue raised in the present matter has become redundant by passage of time. However, as has been submitted by learned Counsel appearing for the appellant, the observations

made in the impugned order, may come in his way in the event any further application is filed by the appellant seeking custody of his minor daughter for further summer vacation or for any other purpose. It appears to me that the present appeal can be, therefore, disposed of by observing that in the event any application is filed by the present appellant seeking custody of his minor daughter, the Family Court shall decide the same, on its own merits, without getting influenced by the observations made in the earlier order passed below Exhibit-38 in Petition No. A-1999/2014, which is challenged in the present appeal.

3) With the aforesaid observations, the appeal stands disposed of. Pending civil application, if any, stands disposed of.

(P . R . B O R A , J .)

bdv/