

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 38 OF 2017

MRS. BABITA N. NARVEKAR., ... Petitioner
Versus
SHRI. NITESH VITHAL NARVEKAR AND ... Respondents
ANR.,

Adv. Ashwin D. Bhobe with Ms. S. Bhobe for the Petitioner.

Coram:- C. V. BHADANG, J.

Date:- 20th February, 2017

P.C.:

The learned counsel for the petitioner, on instructions, states that at this stage the petitioner is restricting the prayer for a direction to the learned District Judge to decide the appeal in a time bound manner. Considering the limited relief sought for, it would not be necessary to issue notice to the respondents as no adverse order is being passed.

2. It appears from the record that this Court by an order dated 6/4/2016 in writ petition no.45/2016 had directed the trial court to decide the application for interim relief within a period of two months. Accordingly, the learned trial court has decided the application for interim relief granting maintenance and custody of the child to the petitioner which order is subject matter of challenge at the instance of the respondent in criminal appeal

no.81/2016 before the learned Sessions Judge at Mapusa. The learned Sessions Judge by an ad interim ex parte order dated 30/6/2016 has granted stay of the impugned order of the trial court by which the custody of the minor child was to be handed over to the petitioner. This order is subject matter of challenge in this petition.

3. The learned counsel for the petitioner states that the parties have already filed written notes of arguments on merits in the appeal on 26/12/2016.

4. On hearing the learned counsel for the petitioner and in view of the circumstances as noted above, I find that it would be appropriate that the disposal of the criminal appeal is expedited. In such circumstances the petition is disposed off with a direction to the learned Sessions Judge to decide appeal in accordance with law, within a period of four weeks from the date of this order.

C. V. BHADANG, J.

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