

to permit the applicant to meet the child in the house of the Respondent on each Saturday and Sunday between 4.00 p.m. to 6.00 p.m. and the Respondent was directed to allow the applicant and arrange for her meeting with the child on those dates.

3] According to learned counsel for the Respondent, the Petitioner has never come to the house of the Respondent for having access to the child as directed by the trial Court. Whereas, according to learned counsel for the Petitioner, the Respondent was not allowed to have such access. Thus there are allegations and counter allegations.

4] The child Samarth is of the age of 13 years and studying in 8th Standard. Since 14th June, 2015, the child is in the custody of the Respondent-father. During this period of of about two and half years there is no access or meeting of the child with the mother. As a result today though I had interviewed the child in the Chamber, it was noticed that the child was not at all ready to meet his mother. He even broke down in his interaction with me. In such situation, the child of about 13 years of age cannot be forced to have access to his mother especially the interim custody for Diwali Vacation, which mother is seeking as per her convenience from 23rd October, 2017 to

29th October, 2017.

5] Learned counsel for the Respondent submits that even if the Petitioner, as per the order passed by the trial Court, comes to the house of the Respondent as on today, the Respondent will facilitate her access to the child. However, considering the fact that the child is not at all ready for the same, it becomes difficult to pass any order so far as Diwali Vacation is concerned, especially of giving interim custody of the child to the Petitioner-mother.

6] It is always true that the mother is having the right to meet the child and the endeavour of the Court should be to facilitate such access of child with mother. However, on account of this separation for about two and half years the child who is now grown up, is not at all ready to even meet the mother. The only remedial measure, in such situation, is to appoint some Child Psychologist who can persuade and convince the child for his access or interim custody with the mother. Both the parties and their learned counsels are therefore to suggest the name of Child Psychologist based in Yeola, District Nashik, where the child is at present residing, so that the child can be persuaded to meet his mother. For the present at least no solution appears to be insight till the counseling process is

complete.

7] At this stage, it is submitted that the proceedings before the trial Court are at the stage of conclusion and they will be decided as expeditiously as possible, may be within one month. Hence, both the parties are requested to suggest the name of Child Psychologist before the trial Court itself where the proceeding is pending, so that the trial Court may take appropriate steps.

8] This Writ Petition, therefore, stands dismissed.

(DR. SHALINI PHANSALKAR-JOSHI, J.)