

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.211 OF 2015
IN
FAMILY COURT APPEAL NO.164 OF 2016**

Ravindra Nana Shinde : Applicant/Appellant.

Versus

Sau. Meena Ravindra Shinde & ors. : Respondents.

Mr. P N Joshi for the Appellant.

Mr. Nitesh V Bhutekar for the Respondents.

**CORAM : R. M. SAVANT &
SMT. SADHANA S JADHAV, JJ.**

DATE : 31st JULY 2017

P.C.

1 The above Civil Application has been filed for stay of the decree of custody passed by the learned Judge of the Family Court, Nashik. In the above Family Court Appeal order in terms of the Minutes of Order dated 25/02/2015 came to be passed regulating the access to the daughter Vrunda as also son Pradumna during the period 11/12/2016 25/12/2016 and 01/01/2017. Hence the said access was a pro-tem access in view of the then ensuing Christmas Vacation.

2 There is no dispute about the fact that the daughter is presently residing with the Respondent wife and the son is presently residing with the Appellant husband.

3 The learned counsel appearing for the Appellant and the Respondent on instruction states that they have no objection to the said position being continued pending the above Family Court Appeal. In so far as the access to the son is concerned, we are informed that he is 17 ½ years and therefore nearing 18 years.

4 In the facts and circumstances of the present case, we deem it appropriate to issue the following directions in respect of the access of the children :-

A] In so far as son Pradumna is concerned, he may visit his mother on every 2nd and 4th Sundays till he turns 18. The Respondent wife would also be entitled to his access for half period during the Diwali and Christmas Vacations of the year 2017. However, his over night access would be contingent upon the willingness of Pradumna.

B] In so far as the daughter Vrunda is concerned, the Appellant husband would be entitled to her access on every 1st and 3rd Sundays and would remain with the Appellant from morning till evening 5.00 pm. The Appellant husband would send son Pradumna to collect her from Anuradha Chowk as also drop her at his mother's residence on the same day. In so far as access during

the Diwali and Christmas vacations of the year 2017 is concerned, the Appellant would be entitled to the access for half period during the Diwali and Christmas Vacations of the year 2017. However, the over night access would be on the willingness of the daughter. However, the access granted in respect of daughter Vrunda would be subject to the timings of her classes

C] The aforesaid arrangement would continue pending and final hearing of the above Family Court Appeal and would be varied on Vrunda becoming a major and if the above Family Court is not decided by the said date.

D] The above Civil Application is accordingly disposed of.

[SMT. SADHANA S JADHAV, J]

[R.M.SAVANT, J]