

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1696 OF 2017
IN
FIRST APPEAL No. 1028 OF 2010

Shafeeq Abdul Rahim ... Applicant
Vs.
Tabassum Shafeeq (now known as
Tabassum Ajmal Vanchu) ... Respondent

Ms. Shabnam Shaikh a/w. Mr. Jayesh Jain, Advocate for the applicant.

Ms. Farhana Shah, appointed for the respondent.

Mrs. Tabassum Abdul Sattar, grandmother present in the Court.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 9th August, 2017.

P.C.:

The learned counsel for the applicant submitted that an amount of Rs.3,50,000/- is deposited by the applicant/father with the Registrar (Judicial) of this Court.

2. The learned counsel for the respondent/mother submitted that the respondent/mother wants to withdraw an amount of Rs.3,50,000/-. The learned counsel further submitted that though as per the consent terms dated 17th April, 2013, the parties have agreed that the mother may go for school visit and meet the child and

teacher there, but till today she has not gone to school. But now hereafter she wants to go to school to meet the teacher for academic progress of the child. It is further submitted that the respondent/mother is allowed to contact the child, as per the consent terms, every day on phone. However, the phone number which is supplied to respondent/mother is not correct and till today she could not contact her daughter telephonically.

3. I have perused the order passed by my predecessor and pursuant to the said order, I have verified whether the access in the months of June and July was smooth and without any breach of the order of this Court. The learned counsel for the respondent/mother informs that the access during the last 1½ months is regular on every weekends. Hence, the same arrangement to continue further till the matter is decided.

4. Registrar (Judicial) is directed to allow the respondent/mother to withdraw an amount of Rs.3,50,000/-, on verification of her identity, by executing P.R. Bond. The respondent/mother is allowed to visit the school twice in a month and restrict her visit not more than half an hour in the school.

5. The respondent/mother shall contact the child on the mobile number 9820097243 provided by the grandmother of the child, who is present in the Court. It is stated before the Court in presence of the grandmother that this number will be available everyday from 7 p.m. to 10 p.m. It is submitted by the learned counsel for the respondent/mother that respondent/mother will not call the child everyday though it is agreed by the parties in the consent terms but she will call the child twice in a week and in emergency, if required.

6. Civil Application is disposed of.

(MRIDULA BHATKAR, J.)