

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO. 54 OF 2017  
IN  
GUARDIANSHIP PETITION (L) NO. 12 OF 2017**

Lloyd Francis Baptista ... Appellant.

V/s.

Anushka Baptista @ Hemlata Dodwani ... Respondent.

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Mr. Atul Damle, Sr. Counsel a/w. Abhishek Yende for the Appellant.

Ms. Chitra Rentala i/by ACMT Legal for the Respondent.

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**CORAM : V. M. KANADE AND  
P.R. BORA, JJ.**

**DATE : 09<sup>th</sup> FEBRUARY, 2017**

**P.C. :**

1 By this Appeal, the Appellant has challenged the order passed by the learned single Judge dated 02.02.2017 in Guardianship Petition (L.) No. 12 of 2017. We have perused the said order. The order reveals that the Appellant herein, who was the original petitioner, gave an undertaking to the court that without any precondition, he will go and drop the minor child -Kyra @ Kiara with the Respondent in Bengaluru at

his cost. The petitioner is now seeking to challenge the said order on various grounds.

2           In our view, the appeal against the order passed by consent, particularly after an undertaking is given to the court, is not maintainable. We are, therefore, not inclined to interfere with the said order. The Petitioner shall comply with the undertakings given by him. All other contentions of both the parties are kept open. The parties are at liberty to agitate all the issues in the petition before the appropriate form and before the learned single Judge. If any application is made, it may be heard expeditiously.

3           Request is made to extend the said order by few days. Request is declined.

4           With the above observations, the Appeal is disposed of.

( P.R. BORA, J)

(V.M.KANADE, J)

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