

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 123 OF 2018

AGNELO JOHN BOSCO SAVIO
FERNANDES.,

... Petitioner

Versus

MARIA BEATRIZ DE SOUZA.,

... Respondent

Adv. A. F. Diniz with Adv. Ryan Da Piedade Menezes for the
Petitioner.

Adv. J. Abreu Lobo for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 2nd February 2018

P.C .:

Heard Shri Diniz, the learned counsel for the petitioner and
Shri Lobo, the learned counsel for the respondent. Perused
record.

2. By this petition, the petitioner is seeking extension of the
period of the visiting rights, particularly on Sundays and
holidays and for permitting the child to be taken to the residence
of the aunt of the petitioner, who is said to be more than 100
years old.

This modification is sought for the limited period up to the

end of February 2018 as the petitioner, who is a British national is staying in India till end of February, 2018.

3. Shri Lobo, the learned counsel for the respondent, on instructions, states that for the limited period expiring at the end of February 2018, the period of visiting rights to the petitioner on Sundays and Holidays may be extended by consent from 12 noon to 4p.m. He, however, has reservations for the child being taken to the residence of the aunt of the petitioner. He points out that in the year 2013 liberty was given to the petitioner to take the aunt to Hotel Vivanta where the visitation rights are exercised. However that opportunity was not availed of.

4. In reply, Shri Diniz, the learned counsel for the petitioner states that this Court may in its discretion grant extension of period from 11a.m to 4p.m. instead of 12 noon to 4p.m. as agreed by the respondent. In so far as the visit to the aunt is concerned, he has produced a copy of the medical certificate dated 1/2/2018 which shows that aunt is bed ridden.

5. On hearing the learned counsel for the parties, I find that the petition can be partly allowed to the extent of enlarging the period of visitation rights of the petitioner on Sundays and holidays to 11.a.m to 4p.m. This order shall operate only till the end of February 2018. The prayer for carrying the child to the

residence of the aunt is hereby rejected. The petition is disposed off in the aforesaid terms.

C. V. BHADANG, J.

ap/-