

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.9375 OF 2018

Siddhesh Ramakant Bhatkar	]	Petitioner
Vs.		
Sanvi Siddesh Bhatkar	]	Respondent

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Mr. Raju D. Suryawanshi a/w Devendra Pawar, for Petitioner.
Mr. Satyajeet A. Rajeshirke, for Respondent.

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CORAM : R.G. KETKAR, J.

DATE : 24TH AUGUST, 2018.

P.C.

Heard Mr. Suryawanshi, learned Counsel for the petitioner and Mr. Rajeshirke, learned Counsel for the respondent at length.

2. By this Petition under Article 227 of the Constitution of India, the petitioner has challenged the order dated 17th August, 2018 passed by the learned Additional District Judge, Ratnagiri below Exhibit 7 in Misc. Application No.51 of 2018. By that order, the learned Additional District Judge allowed the application filed by the respondent and directed the petitioner to hand over interim custody of son Satwik to the respondent immediately. The petitioner is given visitation rights on every Wednesday and Sunday in between 3.00 p.m and 7.00 p.m till further orders. The respondent is directed to permit Satwik to visit father's residential place and after meeting, the petitioner shall take Satwik and leave him back to the respondent's place. During the long holidays/vacations covering more than 2 weeks Satwik is allowed to be in the company of the petitioner for a period of 5 days. The

respondent shall arrange such meetings without fail and without harming feelings of anybody. Personal ego, if any, shall not be allowed to come across the happiness of the child.

3. The matter was heard at length on 23rd August, 2018 and was kept today for passing order. Mr. Suryawanshi has produced on record e-mail dated 24th August, 2018 sent by the petitioner, which is taken on record and marked 'A' for identification. On the basis of the instructions contained in e-mail, Mr. Suryawanshi states that the petitioner does not press this Petition and submits that he will hand over interim custody of son Satwik to the respondent on 1st September, 2018 as birthday of Satwik is on 31st August, 2018. He further submits that the learned Additional District Judge may be requested to dispose of the main proceeding in a time bound manner.

4. In view thereof, Petition is disposed of as not pressed. The petitioner shall hand over custody of son Satwik on 1st September, 2018 to the respondent. Clauses 3 to 5 of the impugned order shall be implemented by the parties. The learned District Judge is requested to dispose of the main proceeding as expeditiously as possible and in any case, within one year from the receipt of authenticated copy of this order. All the contentions of the parties on merits are expressly kept open.

[R.G. KETKAR, J.]