

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

**WRIT PETITION NO. 12833 OF 2016
WITH
CIVIL APPLICATION NO. 782 OF 2018**

Gouri Niranjana Argade and another	... Petitioners
Versus	
Niranjana Charudatta Argade	... Respondent

.....

Mr. S. M. Kelkar i/b Mahendra Agavekar for Petitioners.
Mr. Krishna H. Holambe Patil for Respondent.

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CORAM : K. K. SONAWANE, J.

DATE : 16th JULY, 2018.

P. C.:

1. Heard learned Counsel for the petitioners and learned Counsel for the respondent.
2. Present writ petition came to be filed agitating validity and propriety of impugned order dated 21st April, 2016 passed by learned Family Court, Pune, below Exhibit-11 in P.A. No.242 of 2014. During the course of hearing, learned Counsel for respondent fairly conceded that the respondent-husband will not insist for access of the child, pending original proceedings before

the Family Court, subject to expeditious hearing of the matter at the earliest. Learned Counsel for the petitioner shown inclination and submits that he does not want to press any of the reliefs sought in the present writ petition.

3. In view of nature of the subject matter pertains to dissolution of marital relations, the issue in regard to access of the child would be determined by the concerned Court on the anvil of merit. In such circumstances, I find it justifiable to accept the submissions made on behalf of learned Counsel for respondent that the respondent-husband will not press or insist for access of the child, pending the proceeding for dissolution of marriage before the learned Family Court, Pune, subject to direction that the matter may be expedited for its adjudication on merit.

4. In this premise, the impugned order under challenge came to be set aside and quashed. The respondent-husband shall not insist for access of the child, pending the proceeding before the learned Family Court. It is further stipulated that the concerned Family Court shall take efforts for expeditious hearing of the matter for its adjudication on merit at the earliest, more

particularly within a period of six months from the date of this order by giving reasonable opportunity to both side to adduce evidence if any on record. Parties to the proceedings shall cooperate with the Family Court for expeditious hearing into the matter. In such circumstances, petition deserves to be disposed of accordingly.

5. Writ Petition stands disposed of in above terms with no order as to costs.

6. In view of disposal of writ petition, civil application does not survive and the same is also disposed of.

(K. K. SONAWANE, J.)

Shridhar
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