

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 5139 OF 2018

Ashu Dutt] Petitioner

Vs.

Aneesha Dutt] Respondent

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Mr. Rohan Cama i/b Sapana Rachure, for petitioner.

Ms. Deepa Chawan a/w Ms. Reshmarani Nathani i/b Wasim Ansari, for respondent.

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CORAM : R.G. KETKAR, J.

DATE : 23RD APRIL, 2018.

P.C.

Not on board. At the request of Mr. Cama, taken up for admission.

2. Heard Mr. Cama, learned Counsel for the petitioner and Ms. Chawan, learned Counsel for the respondent at length.

3. By this Petition under Article 227 of the Constitution of India, the petitioner has prayed for direction to the Registry to release USA passport, Thailand passport and Overseas Citizen of India Card of Arshiya to enable her to travel to Netherlands between 26th May, 2018 and 3rd June, 2018. Mr. Cama has invited my attention to application at Exhibit 113 filed by the petitioner in Petition No.D-87/2012 for the reliefs claimed therein and in the present Petition. In paragraph 6 of that application, it is asserted that the petitioner is not accompanying the child as this is a School trip and undertook not to travel out of India during that period of time. He has also undertaken to pay full expenses for the trip.

4. In addition, the petitioner undertakes on behalf of daughter Arshiya that she will return to India by 3rd June, 2018. He further undertakes that after return of Arshiya, they will immediately deposit U.S.A passport, Thailand passport and Overseas Citizen of India Card in the Registry of this Court within one week thereof under intimation in writing to the learned Counsel for the respondent. Undertakings given by the petitioner in paragraphs 6 and 7 of the application at Exhibit 113 and given to this Court are accepted.

5. Ms. Chavan has no objection for granting relief in terms of prayer clause (a) of this Petition. She, however, submits that being mother, respondent wants to interact with daughter Arshiya and assures that while meeting daughter Arshiya, she will bring her son Ahren so that the siblings and father and mother can interact with each other. Parties agree that they will meet during lunch time on Saturday, 28th April, 2018 and work out the modalities in that regard.

6. In view thereof, Application Exhibit 113 filed in the trial Court is disposed of. In view of aforesaid discussion, Petition is disposed of.

7. The Registry to act upon an authenticated copy of this order.

[R.G. KETKAR, J.]