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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.135 OF 2018 IN
FAMILY COURT APPEAL NO.114 OF 2015

Manish B.Katira ...Applicant
vs.
Aditi Katira ...Respondent

Mr.Yusuf Ravikant Singh for the applicant
Mr.A.S.Khandeparkar a/w Mr.Arun Mehta i/b Akshar
Laws for the respondent

CORAM : A.S.OKA, &
RIYAZ.I.CHAGLA, JJ.
DATE : MAY 4, 2018

P.C.:

1 Heard the learned counsel appearing for the applicant. Prayer (1) of this application reads thus:

“(1) Copies of all the reports submitted by Dr.Harish Shetty be provided to him.”

2 The orders passed by this Court from time to time will show that Dr.Harish Shetty was appointed by this Court only with an object of helping the cause of the applicant-husband so that the minor child starts interacting with the applicant-father and that the minor child starts enjoying the company of the applicant. For ensuring that the applicant has effective dialogue with the child, counseling of the wife is necessary. Therefore, Dr.Shetty was told

to have counseling sessions with both the husband and the wife.

3 The record shows that only on the basis of the efforts made by Dr.Shetty that there is some improvement in the quality of access made available to the husband to meet the minor child.

4 So long as the reports submitted by Dr.Shetty are not used as evidence or material for deciding the Appeal, the applicant is not entitled to have copies of the reports.

5 We may also note here that on few occasions, this Court has shown the reports submitted by Dr.Shetty both to the Advocate for the applicant and to the applicant.

5 Every time when the matter is fixed before the Court, the appellant through his Advocate makes a grievance about the manner in which Dr.Shetty is proceeding with the counseling sessions. The record will show that Dr.Shetty attended the hearings fixed by this Court in the Chamber. In fact, Dr. Shetty has also attended the last hearing which took place in the Chamber.

6 We have repeatedly made it clear to the applicant-husband that if he does not wish to continue the counseling sessions, he can specifically say so before the Court so that the appeal itself can be immediately taken up for final

hearing.

7 We direct the applicant-husband to make a specific statement on this aspect on the next date so that the appeal can be taken up for final hearing.

8 Subject to what is observed above, civil application is rejected.

9 We make it clear that if at the time of final hearing of the Appeal, if any of the reports are to be relied upon, the copies of the reports will be made available to the parties.

10 Place the appeal for directions on 11th June 2018 when the husband will make a statement whether he wishes to continue the counseling sessions with Dr. Shetty.

11 Needless to add that as agreed in the meeting which took place in the Chamber in presence of Dr. Shetty, counseling sessions will continue.

(RIYAZ.I.CHAGLA,J.)

(A.S.OKA,J.)