

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

WRIT PETITION NO. 12924 OF 2017

Mrs. Radhika Sivakumar

...Petitioner

Vs.

Mr. Rajesh Sanalkumaran Nair

... Respondent

.....

Mr. Harsh Moorjani I/b Jayakar & Partner for the Petitioner.

Mrs. Radhika Sivakumar, Petitioner in person.

Mr. Rajesh S. Nair, Respondent in person.

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CORAM : G.S. KULKARNI, J.

DATE : JANUARY 22, 2018.

P.C. :

1. On the background of the earlier order dated 19th December 2017, I have heard this petition.

2. Ms. Radhika Sivakumar, the petitioner is present in person as also Mr. Rajesh Nair, respondent is also present in person. Mr. Nair expresses his satisfaction that in view of the order dated 19th December 2017 passed by this court, he could atleast sometime meet the daughter Nandini. He fairly submits that he has no objection for daughter Nandini to travel beyond local limits of Pune and Pimpri Chinchwad Municipal Corporation. Mr. Nair submits that he also does not object to daughter Nandini being taken by the petitioner abroad, if the daughter is of the opinion that she would like so to do. He submits that

he would not come in the way of daughter Nandini being taken abroad by the petitioner. The stand of Mr. Nair is very fair and reasonable.

3. However, considering the facts of the case it is in the interest of justice that if petitioner Ms. Radhika intends to take her daughter Nandini abroad then before she is so taken, the petitioner shall inform the respondent Mr. Nair atleast 15 days in advance the date and time she would be taken abroad as also the place where the daughter will be taken and the address where she would reside in the foreign country.

4. Needless to observe that the petitioner shall continue to grant the respondent-Mr. Rajesh Nair, access of daughter Nandini on Saturday and Sunday as directed by this court in order dated 19th December 2017, as and when so requested by respondent-Mr. Nair to the petitioner by a sufficient advance notice.

5. Mr. Nair states that old passport of daughter Nandini is in his custody, which will be handed over to the petitioner within two weeks from today. Statement is accepted.

6. In view of the above consensus, nothing survive for adjudication in this writ petition. It is accordingly disposed of, however, in the above terms. No costs.

(G.S. KULKARNI, J.)