

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.3948 OF 2018

Mrs.Moushumi Mukherjee & Ors.

.... Petitioners

versus

The State of Maharashtra & Ors.

... Respondents

.....

- Mr.Beni Chatterjee, Senior Advocate i/b. Mr.Samarth R. Moray, Advocate for Petitioners.
- Mr.R.V. Pai a/w Mr.A.R. Pai, a/w Akshay R. Pai, Apurva Bhatt i/b. Bina R. Pai, for Respondent No.3.
- Mr.Himanshu Takke, AGP, for Respondents.

**CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**

DATE : 24th NOVEMBER, 2018.

P.C. :

1. Heard respective Counsel with parties. We find the parties well-educated as also well-placed.
2. Vakalatnama tendered by Counsel of Respondent No.3 is taken on record.

3. It appears at this stage that, they are concerned with well being of victim who is in comatose condition. Victim is the daughter of Petitioners and wife of Respondent No.3. She is at residence of Respondent No.3 and material on record shows that she has been looked at there properly.
4. In affidavit, Respondent No.3 has stated that, he has never obstructed the Petitioners from visiting their daughter and he has also given the frequency and duration of visit. He also states that video footage of CCTV can be perused to find out correctness.
5. We are not inclined to delve into these issues at this stage. Respondent No.3 has clearly agreed to provide photocopy of medical papers to Petitioners by Monday i.e. on 26/11/2018. He is permitted to serve its copy on Advocate Samarth Moray, who appears for Petitioner.

6. With these observations and with hope that parties will jointly take care of Comatose victim, we dispose of Petition. Needless to mention that parties are at liberty approach this Court if any cause of action arises, however, at that juncture, specific details of an incident giving rise to such cause, shall be disclosed.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)