

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9364 OF 2018
(Suvarna Anil Palve Vs. Anil Eknath Palve)

Mr.P.S.Paranjape, Advocate for the petitioner.
Mr.A.M.Gholap, Advocate for the respondent.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 25/01/2019

PER COURT :

1. This matter was considered in chambers on 23/01/2019 when I heard the learned Advocates for the respective parties. I had an interaction with the husband and the wife individually. They individually informed me that they do not trust each other in view of the peculiar allegations against each other and hence there is no possibility of saving the marriage.

2. I also had an interaction with the son and the daughter of this couple.

3. Having considered the above, I find that the Family Court has passed an order on 30/07/2018 which is impugned in this petition vide which it was observed that the custody of the children can be prayed by the wife if she so desires, by filing an application before the

Family Court.

4. Learned Advocate for the wife submits that such an application would be filed before the Family Court on 28/01/2019 and the copy would be delivered to the learned Advocate for the husband on the same date. Learned Advocate for the husband submits that he would enter his reply on or before 02/02/2019.

5. In this view of the matter, the learned Family Court would post the matter for arguments on 08/02/2019 and would proceed to pass a reasoned order on or before 16/02/2019. I deem it appropriate, in the interest of the minor children, to advise the learned Principal Family Judge to have an individual interaction with the son as well as the daughter after the oral arguments of the learned Advocates have been completed so as to enable the learned Judge to pass an appropriate order on or before 16/02/2019.

6. Learned Advocate for the wife graciously submits that she would tender an apology application before the learned Family Court considering a statement made in an application dated 10/01/2019 at Exh.53 since the said statement was made out of an emotional upheaval.

7. With the above directions, this petition is disposed of.

(Ravindra V.Ghuge, J.)