

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.511 OF 2019

IN

WRIT PETITION NO.219 OF 2019

(Pooja Shantanu Pashankar Vs. Shantanu Dhananjay Pashankar)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders	Court's or Judge's orders
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Mr. Rompal Singh Kohli i/b. C. K. Legal for Applicant.
Mr. Pradeep J. Thorat for Respondent.

CORAM : R. G. KETKAR, J.**DATE : 24TH APRIL, 2019****P.C.:**

Not on Board. At the request of Mr. Kohli, taken up in the production Board.

2. Heard Mr. Kohli, learned Counsel for the applicant and Mr. Thorat, learned Counsel for the respondent.

3. By this Application, the applicant - Pooja Shantanu Pashankar (for short 'Pooja') has sought clarification in respect of paragraph 15(ix) of the order dated 07.02.2019 passed in Writ Petition No.219 of 2019 thereby granting liberty to Pooja to travel abroad. The applicant also sought modification of paragraph 15(iv) thereby extending the stipulated time for bringing back daughter Saloni to Pune. As far as prayer clause (b) of the application is concerned,

Mr. Kohli submitted that against the order passed by this Court on 07.02.2019 in Writ Petition No.219 of 2019, S.L.P. was preferred by the applicant. By order dated 15.03.2019, while dismissing the S.L.P., the Apex Court modified direction (xi) in the following terms:

“If the petitioner (applicant herein) intends to go abroad with the child, she shall take permission of the Trial Judge. In other words, if she intends to travel outside the country alone, no permission is required.”

4. He, therefore, submitted that prayer (a) of the application does not survive in view of the Apex Court's order. As far as prayer clause (b) is concerned, he submitted that applicant has already shifted daughter Saloni to Pune. He, therefore, submitted that application is rendered infructuous.

5. In view thereof, Civil Application is disposed of as infructuous. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab