

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 264 OF 2019
IN
CIVIL APPLICATION NO. 283 OF 2015
IN
FAMILY COURT APPEAL NO. 166 OF 2015

Supriya Raste

.. Applicant

Versus

Shailendra Dilip Raste

.. Respondent

-
- Mr. Sudhir S. Hardikar for the Applicant
 - Mr. Shailendra Dilip Raste, Respondent - Husband is present
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CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : AUGUST 2, 2019.

P.C.:

1. This Civil Application is filed by the wife seeking minor modification in an order dated 25.4.2019 passed by this Court in the present proceedings. Under this order, certain directions for visitation of respondent - father with the child have been made. Relevant portion of this order reads as under:-

"12. Under these circumstances, the following order is passed:-

(a) Family Court appeal is admitted;

(b) Civil Application No. 283 of 2015 is concerned, the order of Family Court is stayed, subject to rider that :-

(i) the son would meet the father on first working Saturday of every month between 3 to 5 p.m. in the Family Court, Pune in the absence of wife but in the presence of Counsellor.

(ii) If after this arrangement works out for some time, the father is able to win over the affection of son and he is confident that the son would agree to spend more time with father, it would be open for him to make an application for extending custody.

(c) Contempt petition dismissed."

2. The request of the applicant is that the timing of the meeting as provided in sub-clause (i) of clause (b) of the said order be changed from 3 to 5 pm to 12.30 to 2.30 p.m. in view of the fact that during later part of the afternoon, the child has to attend a private coaching class. We see no harm in making this minor modification. The respondent who is present in person stated that he has lost his job several years back. Presently, he is unemployed, he can not site the reason of his office engagement during the earlier part of the day which would prevent him from meeting his son. Under the circumstances, in a modification of the said order dated 25.4.2019, it is provided that subject to other

conditions remaining unchanged, the father and the son would meet between 12.30 p.m. to 2.30 p.m. on first working Saturday of every month.

3. Civil Application is accordingly disposed of.

[S.J. KATHAWALLA, J.]

[AKIL KURESHI, J]