

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 222 OF 2019
IN
FAMILY COURT APPEAL NO. 60 OF 2019

Siddharth Rai .. Applicant

Versus

Jarkala Manohar Hegde & Anr. .. Respondents

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• Ms. Yashasvita Apte for the Applicant
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CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : AUGUST 2, 2019.

P.C.:

1. Not on board. Mentioned. Taken on board as main appeal is on board today.

2. There is broad conscientiousness between the parties how this Civil Application filed by the applicant - father for visitation rights pending appeal should be disposed of. Learned counsel for the respondents - grandparents of Vivaan, the son of the applicant in presence of the grandparents stated on instructions that on similar lines as was provided by the Supreme Court in its order dated

13.3.2018, if the applicant is granted visitation rights subject to certain safeguards suggested by him, he has no objection to the father being allowed to meet his son. Learned counsel for the applicant, however, submitted that instead of arranging the visits in the premises of the Family Court, Bandra, such visits may be permitted in a nearby mall and that the same may be allowed of Saturday as well as Sunday twice a month.

3. In view of the said broad agreement, the Civil Application is disposed of with following directions:-

- (i) The applicant would be allowed visitation of son Vivaan at nearby mall namely R City Mall, Ghatkopar (W). The applicant and son would spend time together between 10.00 am to 2.00 p.m. or 3.00 p.m. to 6.00 p.m. on Saturday as well as Sunday which shall happen twice every month.
- (ii) The child would be brought to the said place accompanied by either the grandparents or in case of difficulty by another close relative with whom the child is familiar.

- (iii) The applicant – father would be allowed to meet child during such period without the accompanying person interfering with their interaction. However, the applicant shall not take the child out of the premises of the mall.

4. At this stage, we have not examined any further prayers of the applicant in the Civil Application for which purpose at a suitable time, it would be open for the applicant to move fresh application. With these observations and directions, Civil Application is disposed of.

[S.J. KATHAWALLA, J.]

[AKIL KURESHI, J]