

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**969 CIVIL APPLICATION NO.178 OF 2020
IN MCA/265/2019**

RAKESH SURESH PAWAR
VERSUS
SWATI RAKESH PAWAR

...
Advocate for Applicant : Mr. Palsikar Vikrant S.
Advocate for Respondents : Mrs. S.T. Kazi
...

CORAM: ROHIT BABAN DEO, J.

Date: JANUARY 8th , 2020
...

PER COURT :-

1 This application is taken out by the non-applicant husband seeking the following reliefs:-

" A) *This Civil Application may kindly be allowed.*

B) *Applicant may kindly be granted permission to celebrate birthday, due on 11th of January, of their minor daughter Swara, with her at their home in Akola on 11th of January.*

C) *Respondent may kindly be directed to handover the custody of minor daughter Swara to applicant for celebration of her birthday, due on 11th of January, at Akola.*

D) *Any other just and equitable relief may kindly be granted in applicants favour. "*

2 The husband cannot be prevented from celebrating the birthday of the child in her company. However, the prayer that

temporary custody of the child be given to the husband or that the husband be permitted to celebrate birthday of the child at his residence at Akola cannot be countenanced.

3 The child is living with her mother. The applicant wife herein is residing with her parents at Dhule. The applicant husband is free to join the company of his wife and the child at the residence of the wife at Dhule and to celebrate the birthday of the child.

4 The wife shall not prevent the husband from visiting her house to celebrate the birthday of the child. The husband shall visit the house of the applicant wife between 2 p.m. to 7 p.m. on 11.1.2020.

5 With these directions, the Civil Application No.178/2020 is disposed of.

(ROHIT BABAN DEO, J)