

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

30 WRIT PETITION NO.4658 OF 2021

PANKAJA PRANAV JOSHI
VERSUS
PRANAV RAMRAO JOSHI

...
Advocate for Petitioner : Mr. Joshi Sachin G
Advocate for Respondent: Mr. G. S. Shembole
...

CORAM : AVINASH G. GHAROTE, J.

DATE : 2nd August, 2021

PER COURT :

. Heard learned counsel for the parties.

2. The learned counsel for the petitioner takes umbrage, to the impugned order dated 19/12/2020 passed by the Family Court, Nanded, on an application filed by the father for access of the minor son aged 5 years, whereby, the said application has been decided on the same day, in spite of the request for time, made by the wife. It is material to state, that a reasonable opportunity howsoever short ought to have been granted, to the wife, to place her stand on record, however without doing so, the learned Family Court had granted access. The impugned order, is required to be

set aside on this short ground alone and the same is accordingly so done. The learned counsels for the parties submit, that the matter is now fixed before the Family Court on 13/08/2021, on which date, the applicant, shall file her reply, to the application for access at Exhibit – 65, with an advance copy to the learned counsel for the non-applicant. The learned Family Court shall thereafter proceed to decide the application on its own merits. The Petition is, accordingly, allowed in the above terms. Rule made absolute. It is stated that video call access has already been granted by the family court in terms of the order below Exhibit-65, the same shall continue for duration the application at Exhibit-65 is decided.

(AVINASH G. GHAROTE, J.)