

DDR

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 508 OF 2021
IN
WRIT PETITION NO. 12421 OF 2019**

MADHURIMA DEEPAK PANT ..APPLICANT

IN THE MATTER BETWEEN

MADHURIMA DEEPAK PANT ..PETITIONER
VS.

DEEPAK LALITPRASAD PANT ..RESPONDENT

Mrs. Prabha Badadare for applicant.
Mr. Deepak Pant, the respondent in person.

CORAM : M.S.KARNIK, J.

DATE : MARCH 4, 2021

P.C.:-

Not on Board. Taken on Board.

2. Heard learned counsel for the applicant.
3. The respondent appears in person and has filed a detailed reply to the interim application.
4. This is an application seeking permission to take the applicant's daughter Anshita to Ahmedabad for appearing in SAT

admission exam scheduled on 13/3/2021 and further also to take the children Anshita and Ayush on vacation for a period of 12/3/2021 to 29/3/2021 as the school is having spring break from 20/3/2021 to 29/3/2021. The admission ticket is enclosed at page 120.

5. The respondent appeared in person. I have heard him. He contended that the order of access which has been granted, is flouted. He makes a grievance that he is not allowed to meet his children and the children are highly alienated from him. An application has been filed by the respondent which is scheduled to come up on 12/3/2021. In view of the order that I propose to pass today, the said application will be taken up on 30/3/2021. The applicant and respondent are accordingly informed.

6. The issue of access and the violation of the orders thereof, if any, will be dealt with appropriately. Learned counsel for the petitioner on instructions has agreed to keep the children Anshita and Ayush present on 30/3/2021 at 5.30 p.m. for me to interact with them in the Chamber. The petitioner as well as the respondent are also requested to remain present.

7. So far as present application is concerned, considering that

the exams are scheduled on 13/3/2021 and the school is having spring break from 20/3/2021 to 29/3/2021, in my opinion, in the interest of justice, the application deserves to be allowed.

8. So far as the period from 12/3/2021 to 29/3/2021 is concerned, learned counsel for the petitioner says that the children will be attending online classes from Ahmedabad. The grand-parents of Anshita and Ayush are residing at Ahmedabad. The request made is reasonable.

9. The application is allowed in terms of prayer clause (b) subject to the petitioner filing an undertaking to this Court that the petitioner would bring back the children from Ahmedabad to Mumbai on 29/3/2021. An undertaking to be filed within a period of two days.

10. The application is disposed of.

11. List the Petition on 30/3/2021.

Diksha
Rane

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Diksha
Rane
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(M.S.KARNIK, J.)