

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

956 WRIT PETITION NO.10312 OF 2022

**VILAS KONDCI KAKADE
VERSUS
SUCHITA VILAS KAKADE AND OTHERS**

...
Advocate for Petitioner : Mr. Omgashad B. Boinwad
Advocate for Respondent No.1 : Mr. Shrikrashna B. Solanke

...
CORAM : SANDEEP V. MARNE, J.
DATE : 05-12-2022

PER COURT :

. By this petition, petitioner - husband has challenged the order dated 30.08.2022 passed by the Family Court, Latur directing the Head Master of Podar International School, Nanded to hand over School Leaving Certificates of the children to respondent - wife in order to enable her to take their admissions in the same school at Latur.

2. There is no dispute to the fact that respondent - wife after disputes between the couple went to settle down at Latur which is her parental home. However children were studying at Podar International School, Nanded, when the couple was cohabiting with each other. After shifting to Latur, mother wants to shift those admissions from Nanded to Latur. For that purpose, School Leaving Certificates were solicited from the school at Nanded. The

application was unnecessarily resisted by petitioner - husband. Nonetheless the trial Court proceeded to pass the order directing the school at Nanded to issue School Leaving Certificates in order to enable respondent – wife to take admissions of children in the same school at Latur. Aggrieved by that order, petitioner has filed the present petition. In my view, the present petition filed by petitioner is totally misconceived and gross abuse of process of law. The custody of both the children is undisputedly with the mother. Petitioner does not dispute that the mother has been residing at Latur. He is insisting that mother must continue the school education of the children at Nanded while residing at Latur, is incomprehensible.

3. The petition being devoid of merits, is dismissed. No costs.

(SANDEEP V. MARNE, J.)

GGP