

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9908 OF 2019**

Santosh Dnyaneshwar Deshmukh (Garud) ...Petitioner
V/s.
Poonam Santosh Deshmukh (Garud) ...Respondent

Mr.V.S. Tadke i/b Mr. Ameya Vinay Borwankar for the Petitioner.
Mr.Nitin Gangal for the Respondent.

**CORAM : N.R. BORKAR, J.
DATE : 17 June 2022.**

P.C. :

1. This petition takes an exception to the order dated 03.11.2018 passed by the Family Court No. 5, Pune below Exhibit 16 and 27 in P.A. No. 537 of 2017.
2. By the order impugned, the Family Court rejected the application filed by the present petitioner for visitation rights under Section 26 of Hindu Marriage Act, 1955.
3. There is no interim order in the present matter. In the absence of any interim order, there is no point in hearing the petition on merits after four years that too against the interlocutory order. The petitioner is granted liberty to move fresh application before the

Family Court. If such application is moved the Family Court shall decide it on its own merits.

4. The petition is disposed of. All contentions of the parties are kept open.

(N.R. BORKAR, J.)