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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.512 OF 2018
IN
MISCELLANEOUS CIVIL APPLICATION NO.191 OF 2017

Om Shankar Pandey

....APPLICANT

V/s.

Mrs. Kalpana Omshankar Pandey

.....RESPONDENT

Mr. Abhijit P. Kulkarni, Advocate for the Applicant.
None for the Respondent.

CORAM : NITIN W. SAMBRE, J.

DATE: MARCH 22, 2022.

P.C.:

1) Heard Mr. Abhijit Kulkarni, learned counsel for the applicant. He submits that after the order dated 4th July 2017 passed in Misc. Civil Application No.191/2017 for almost five years, the applicant is unable to meet his child. According to him, the order dated 4th July 2017 and the subsequent order dated 27th July 2017 passed in Petition No.A-256 of 2017 will come in his way in case he wants to take proceedings before the appropriate Court for meeting his child. Considering the aforesaid submissions, in my

opinion, the following order can be passed in the interest of justice:-

- (i) The present application stands disposed of as withdrawn;
- (ii) Applicant is at liberty to take out appropriate proceedings before the Family Court, or before such other Court in accordance with law for having interaction and meetings with his minor son who is informed to be in custody of Respondent;
- (iii) We expect the Court below to deal with such prayer in accordance with law as I hardly see any embargo to that effect, on the right of the applicant, in the orders referred above viz. 4th July 2017 passed in MCA/191/2017 and Decree for dissolution passed in Petition No.A-256/2017 by the Family Court, Mumbai on 27th July 2017.

[NITIN W. SAMBRE, J.]