

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 732/2021.

Nilesh @ Sudhir Dhanraj Madavi

-VERSUS-

Sou. Archana Nilesh Madavi and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri P.S. Kosare,, Advocate for the Petitioner.
Shri H.D. Dubey, A.P.P. for Respondent No.2.
Respondent No.1. Served.

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CORAM : VINAY JOSHI, J.

DATE : JULY 07, 2022.

Heard.

2. The learned Counsel appearing for the petitioner- husband seeks for withdrawal of the petition by submitting that the impugned interim order was passed in D.V. Case No.127/2019, however, the said main petition has been dismissed for want of prosecution.

3. Further, it is submitted that the son, whose custody was handed over to the petitioner,

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died on 13.03.2022. In D.V. proceedings the respondent/wife filed an application for interim custody of her children which was allowed vide interim order dated 23.12.2020. The petitioner / husband filed an appeal in which the Appellate Court has modified the order under which son's custody was given to the petitioner/husband and the custody of minor daughter was retained with the mother.

3. Thus, the challenge in this petition was limited to the extent of seeking daughter's custody. Any how, the main D.V. proceedings has been reported to be disposed of in default. In the circumstances, the petition stands disposed of as withdrawn.

4. The petitioner /husband is at liberty to resort to the legal remedy for seeking custody of his daughter.

JUDGE