

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA

**WRIT PETITION NO. 360 OF 2023
WITH
MISC. CIVIL APPLICATION NO. 105 OF 2023
WITH
MISC. CIVIL APPLICATION NO. 207 OF 2022
WITH
MISC. CIVIL APPLICATION NO. 239 OF 2023
WITH
MISC. CIVIL APPLICATION NO. 520 OF 2023**

AMEY DILIP SARDESSAI

.....Petitioner.

VS

GAYATRI AMEY SARDESSAI

.....Respondent.

Mr. P. Rao, Mr. A. Menon, and Ms. S. Drago, Advocate for the petitioner.

Ms. A. Agni, Advocate for the respondent.

**WITH
WRIT PETITION NO. 433 OF 2023**

**WITH
MISC. CIVIL APPLICATION NO. 1626 OF 2022-F**

GAYATRI AMEY SARDESSAI

....Petitioner.

VS

AMEY DILIP SARDESSAI

....Respondent.

Ms. A. Agni, Advocate for the petitioner.

Mr. P. Rao, Mr. A. Menon, and Ms. S. Drago, Advocate for the respondent.

CORAM: PRAKASH D NAIK, J

DATED: 9th November 2023

P.C..

1. For the reasons to be recorded separately following order is passed:-

ORDER

Impugned order dated 3.1.2022 passed by the District Judge, North Goa, Panaji in Misc. Civil Application No. 50/2021 is modified as under:-

- a. Father will have visitation rights of the child on Tuesday, Wednesday and Thursday between 12.30 pm to 7.00 pm.
- b. Father shall pick up the child from the school on Tuesday, Wednesday and Thursday at 12.30p.m and shall handover custody of the child to the mother at 7.00p.m. at her residence. The father shall maintain the timeline fixed for visitation right.
- c. Father will have overnight access of the minor child on week end. Father shall pick up the child from the school on Friday at 12.30p.m and shall have overnight custody of the child till Saturday at 7.00p.m. If Friday is holiday, father shall pick up the child from residence of mother. This arrangement shall continue for a period of six months. Thereafter father will have overnight custody of the minor child on week end from Friday at 12.30p.m till Sunday at 1.00p.m. Father shall handover custody of the minor child to the mother on Sunday at 1.00p.m. at her residence. This order with regards to overnight custody will come into effect from 17.11.2023.
- d. During the ensuing Diwali vacation which comes to an end on 26.11.2023, father will have visitation rights of child on 13th, 15th, 21st

and 23rd November 2023 between 11.00 am to 5.00p.m. It is clarified that father will have overnight custody of child on 17th November 2023 from 4:00PM to 19th November 2023 1:00PM and 24th November 2023 4:00PM to 26th November 2023 1:00PM. Father shall pick up the child from residence of mother and handover custody of child to mother at her residence.

2. Writ Petition No. 360 of 2023, Writ Petition No. 433 of 2023, Misc. Civil Application Nos. 105 of 2023, 239 of 2023, 520 of 2023 and 1626 of 2022-F stand disposed of.

3. At this stage, learned Counsel for the respondent/mother prayed for stay of this order on the ground that respondent/mother wants to challenge the order before the Hon'ble Supreme Court. I do not find reason to stay this order. Request for stay is rejected.

PRAKASH D NAIK, J.

VINITA VIKAS NAIK Digitally signed by VINITA VIKAS NAIK
Date: 2023.11.09 17:24:22 +05'30'