

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2782 OF 2022

Yusuf Bashu Sayyed

... Petitioner

V/s.

Shama Yusuf Sayyed

... Respondent

Ms. Rekha Musale for the petitioner.

Mr. Nikhil Hire i/by Mr. Ranjeet Patil for the
respondent.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 27, 2023

P.C.:

- 1.** The husband has filed present petition challenging order dated 1st March 2021 rejecting application seeking access of his daughter.
- 2.** By the impugned order, the Family Court rejected the application mainly on the following grounds: (i) Order dated 11th June 2019 passed in domestic violence proceedings below Exhibit 12 granting access to the petitioner which is in force; and (ii) before passing order of access, wish and will of the child needs to be considered.
- 3.** The Family Court based on aforesaid reasons directed the Marriage Councilor, Family Court, Sangli to find out wish and will of the child. Considering the reasons stated by the learned

Magistrate, in my opinion, following order shall meet ends of justice.

4. The Family Court shall consider application below Exhibit 21 after receiving report of the Marriage Councilor and after considering effect of the order below Exhibit 12.

5. The writ petition is disposed of in above terms. No costs.

(AMIT BORKAR, J.)