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VASANT
ANANDRAO
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO.17 OF 2021

Ashu Dutt	...Appellant
V/s.	
Aneesha Dutta	...Respondent

WITH
INTERIM APPLICATION NO.2605 OF 2023
IN
FAMILY COURT APPEAL NO.17 OF 2021

Aneesha Dutt	...Applicant
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IN THE MATTER BETWEEN :

Ashu Dutt	...Appellant
V/s.	
Aneesha Dutta	...Respondent

WITH
INTERIM APPLICATION NO.1780 OF 2023
IN
FAMILY COURT APPEAL NO.17 OF 2021

Ashu Dutt	...Applicant
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IN THE MATTER BETWEEN :

Ashu Dutt	...Appellant
V/s.	
Aneesha Dutta	...Respondent

Mr.Rohan Cama with Ms.Ayushi Anandpara and Ms.Neha Achaliya
i/b Ms.Sapana Rachure for the Appellant / Applicant in IA No.1780 of
2023.

Mr.Santosh Paul, Senior Advocate with Mr.Mahir Bhatt i/b Mr.Wasim

Ansari for the Respondent / Applicant in IA No.2605 of 2023.

CORAM : R.D. DHANUKA &
GAURI GODSE, JJ.
DATE : 28TH APRIL, 2023.

P.C. :-

1. By an order dated 11 April, 2023 passed by this Court in Interim Application No.1780 of 2023 and Interim Application No.2605 of 2023, this Court had directed the Respondent wife to provide the access to the Applicant for limited period as recorded in the said order on certain conditions. This Court had directed both the parties to file undertaking. In pursuance of the said order, Mr.Paul, learned Senior Advocate tenders affidavit cum undertaking dated 17 April, 2023. Mr.Cama, learned counsel for the Applicant husband also tenders affidavit cum undertaking recorded by his client. Undertaking is accepted.

2. It is made clear that insofar as the affidavit cum undertaking filed by the Respondent wife Aneesha Dutt is concerned, we accept the undertakings recorded in paragraphs 6 and 10 of the said affidavit cum undertaking dated 17 April, 2023. Rest of the statements made in the affidavit cum undertaking are accepted as her statement. The Applicant Ashu Dutt does not accept those statements.

3. In addition to those statements, learned Senior Advocate for the wife on instructions states that she will not precipitate the action triggered in other criminal proceedings or even file against the

Respondent or initiate any criminal action or criminal complaint during these period.

4. It is made clear that undertaking rendered by both the parties are strictly in compliance with the order passed by this Court on 11 April, 2023 and are only in respect of the access provided by this Court in respect of son Ahren. All other rights and contentions in these proceedings in respect of the custody or otherwise are not affected by this undertaking.

5. Both the parties have agreed that the access would be given to the Appellant Ashu Dutt in respect of son Ahren as per schedule recorded in paragraph 10 of the said affidavit cum undertaking. Interim Anm 67kpplication No.1780 of 2023 and Interim Application No.2605 of 2023 are disposed off in terms of the directions issued on 11 April, 2023 and also in terms of the order passed today.

(GAURI GODSE, J.)

(R.D. DHANUKA, J.)