

Nikita

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

WRIT PETITION NO.12671 OF 2022

Saurav Gulshan Bhatia

... Petitioner

V/s.

Bijal Vyas Bhatia

... Respondent

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Date: 2023.09.30
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Ms. Tanu Khattri for the Petitioner.

Mr. Bijal Vyas Bhatia, respondent in person is present.

CORAM : AMIT BORKAR, J.

DATED : SEPTEMBER 29, 2023

P.C.:

1. By the present petition, petitioner is challenging order of issuance of notice to the respondent in an application filed by the husband, seeking access to the minor daughter.
2. It appears that the order impugned issues notice to respondent. Nothing beyond that is adjudicated by the Family Court. Such order cannot made subject matter of the petition, unless the rights of the parties are adjudicated. However, considering the welfare of the child, it is necessary that the access of child should be given to both the parents which is in the interest of the child also.
3. Hence, it is necessary that the Trial Court shall immediately decide the relief of grant of access to the husband. Hence following

order.

- a) Family Court Bandra shall decide the prayer for grant of access to petitioner till the decision of the application below Exhibit-79 within period of two weeks from today.
 - b) The family Court shall decide the application below Exhibit-79 within eight weeks from today.
4. The writ petition stands disposed of.

(AMIT BORKAR, J.)