

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 17124 OF 2023
AND
INTERIM APPLICATION NO. 1228 OF 2022
IN
FAMILY COURT APPEAL NO. 15 OF 2022

Mrs. Pallavi Sameer Deshpande @ Ms Pallavi ...Applicant/
Anirudha Kale Appellant

Versus

Mr. Sameer Vishwas Deshpande ...Respondent

Mr. Pravin Tembhekar, Advocate for Applicant/Appellant-Wife.

Ms. Krupali Rajani, Advocate, for Respondent/Husband.

**Mrs. Pallavi Deshpande Nee Ms. Pallavi Kale Applicant/
Appellant is present in Court.**

Mr. Sameer Deshpande, Respondent is present in Court.

CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.

DATE : NOVEMBER 9, 2023

P. C.

1. Interim Application No. 17124 of 2023 is filed by the Appellant/Wife seeking a direction against Respondent/Husband to allow their 7 years old son (Master Om) to attend and participate in the wedding ceremony of the Appellant's sister and other related functions which are to be held from 8th November 2023 to 20th November 2023 at Pune.

2. When the above matter is called out, we are informed that without prejudice to the rights and contentions of the parties who are present in the Court today, they have mutually agreed as follows :

- a.** The Respondent father will get the child Master Om to Pune from 17th November 2023 (by 5 p.m.) to attend the Sangeet ceremony of the sister of the Appellant. He will reside with the son Om on 17th November 2023 and make his own arrangements of stay.
- b.** On 18th November 2023 the Respondent father will get the child to attend the wedding and reception of the Appellant's sister by 5 p.m.
- c.** It is expressly agreed between the parties that the Respondent shall not leave his son alone and he will be present with his son throughout without any hindrance from the Appellant and/or her relatives. In other words, the Respondent father will attend all the functions along with his son.
- d.** Both the parties have agreed to maintain harmony while availing access and avoid any sort of commotion which would affect the child.
- e.** It is further agreed that during the time of availing access if any unwarranted disturbing event occurs then the Respondent father will be at liberty to take the child back to Thane.

3. This agreement has been reached in Court in front of both parties who are present before the Court.
4. To try and see whether the dispute between the Appellant/Wife and Respondent/Husband can be amicably settled, both the parties have agreed to refer this matter to Mediation and to appoint Advocate Ms. Yogita Deshmukh Chitnis as a Mediator. Considering that the Appellant/Wife is from Pune and Husband from Thane, the Mediator is requested to conduct the Mediation online.
5. Parties have agreed that the costs of the Mediator shall be borne equally by both the parties.
6. The Mediator is requested to complete the Mediation and file her report in this Court within a period of 12 weeks from today.
7. Both the parties shall co-operate with the Mediator and shall not ask for any unnecessary adjournments. All other directions with reference to the Mediation shall be given by the Mediator.
8. A copy of this order, shall be forwarded to the Mediator by the Advocate of the Appellant/Wife.

9. The above Interim Application is accordingly disposed of. There shall be no order as to costs.

10. Place the above Family Court Appeal on board for directions on 2nd February 2024.

11. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]