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

INTERIM APPLICATION NO. 8099/2024

In

WRIT PETITION 12421/2019

Madhurima Deepak PantPETITIONER

V/S

Deepak Lalitprasad PantRESPONDENT

WITH

CONTEMPT PETITION NO.147/2021

WITH

INTERIM APPLICATION NO.13390/2023

IN

WRIT PETITION NO.12421/2019

Deepak Lalitprasad Pant ..Petitioner

vs.

Madhurima Deepak Pant ..Respondent

WITH

WRIT PETITION NO. 1150/2021

WITH

WRIT PETITION NO.12421/2019

WITH

INTERIM APPLICATION NO.19269/2022

IN

WRIT PETITION NO.12421/2019

Madhurima Deepak PantPETITIONER

V/S

Deepak Lalitprasad PantRESPONDENT

WITH

WRIT PETITION NO. 12420 OF 2019

Madhrima Deepak PantPETITIONER

V/S

Deepak Lalitprasad PantRESPONDENT

WITH

INTERIM APPLICATION NO.3241/2023

IN

WRIT PETITION NO.12421/2019

Madhura Deepak Pant ...PETITIONER
vs.
Deepak Lalitprasad Pant ..respondent

**Ms. Firoza Daruwala i/b. Adv. Prabha Badadare for
Petitioner/Applicant.
Adv. Dushyant Purekar a/w. Adv. Rajat Dedhia for Respondent.**

CORAM : RAJESH S. PATIL, J.

DATED : 10 MAY 2024

PC.:

1. This Interim application is filed by the wife seeking permission from this Court that son “Ayush” be allowed to travel to USA and Canada, for summer vacation from 18 June 2024 to 17 July 2024.

2. After the matter was argued for some time, the condition for allowing such vacation travel abroad for son “Ayush” are agreed as under :

(i) Twice a week video access will be allowed to the paternal parents and paternal uncle of “Ayush”, at convenient timings during the summer vacation from 18 June 2024 to 17 July 2024.

(ii) Twice in a week an email update would be given by applicant (wife) of Ayush’s health during the period from 18 June 2024 to 17 July 2024.

(iii) The applicant wife herein has undertaken to this Court that she will not make any application to Ayush school (Oberoi International School) seeking his school leaving certificate till the end of July 2024.

(iv) Respondent husband is permitted to furnish a copy of this order to the school authorities if desired.

(v) The applicant wife has already tendered on record her employer's letter informing that she would be joining Abbott Healthcare Pvt. Ltd. in the Mumbai office, immediately after returning back from vacation i.e. on 18 July 2024.

(vi) Both the parties would not seek adjournment on any ground before the Family Court on 27 June 2024 and on further dates till 17 July 2024.

(vii) Applicant wife would give details of travel plan of Ayush on or before 30 May 2024, which includes, his accommodation city wise and also the details of hotels where he will be residing during the period from 18 June 2024 to 17 July 2024.

(viii) The applicant wife will hand over passport of her parents on 13/5/2024 to the Registry of this Court. So also, on 13/5/2024,

she will hand over the bank guarantee of sum of Rs.75,00,000/- to the Registry of this Court.

(ix) On handing over the passports of parents and furnishing bank guarantee, the applicant wife will be allowed to withdraw the passport of son “Ayush”. The said passport of “Ayush” would be returned back after summer vacation on or before 20/7/2024 to the Registry of this Court. On the same day, she will be permitted to withdraw the passports of parents.

(x) The bank guarantee can also be withdrawn by her on or by 20/7/2024. Once the applicant wife can show the proof of son “Ayush” has returned back to India, the Registry can immediately furnish a letter to the applicant wife of discharging the bank guarantee of Rs.75,00,000/-.

(xi) In case, the parties have any difficulties as regards the summer vacation, they are free to approach the vacation Court.

3. Just for sake of clarification, it is hereby reiterated that in case, son “Ayush” does not return back to India latest by 20/7/2024, the bank guarantee of Rs.75,00,000/- which will be submitted by the applicant wife, can be encashed by the Registry of this court and the said amount would be handed over by the

Registry to the husband.

4. Pursuant to the directions given by this Court above, the Interim Application No.8099 of 2024 is partly allowed in terms of prayer clauses (a) and (b). The prayer clauses (a) and (b) read as under:-

(a) This Hon'ble Court be pleased to allow this application and permit Ayush to travel to USA and Canada along with the Applicant and his sister Anshita during his summer vacation from 18th June 2024 to 17th July 2024 (both days inclusive);

(b) This Hon'ble Court be pleased to allow the Applicant to withdraw Ayush's passport from deposited with the Registry of this Hon'ble Court for travel to USA and Canada during Ayush's summer vacations from 18th June 2024 to 17th July 2024 (both days inclusive).

5. Interim Application No.8099/2024 is accordingly disposed of.

6. The applicant wife has today tendered two undertakings. One of her parents and another of herself. Both the undertakings are taken on record.

7. The parties to act on an authenticated copy of this order.

(RAJESH S. PATIL, J.)