

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 789 OF 2017

Ashu Dutt

...Petitioner

Versus

Aneesha Dutt

...Respondent

Adv. Himanshu Nagarkar i/b. Taubon Irani for the Petitioner.

Adv. Wasim Ansari for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATED : 15 MARCH 2024

PC.:

1. This Writ petition is filed by the husband challenging an order dated 21 October 2016 passed by the Family Court.
2. Application Exhibit-82 was filed by the wife seeking permission for minor son 'Ahren' to travel during '20 October 2016' till '6 November 2016'. However, the husband did not file any reply to the said application but, filed application Exhibit-84. The Family Court observed that since Writ Petition No.7868 of 2016 with similar kind of reliefs was filed in this Court, hence, both the applications were rejected.
3. Mr. Nagarkar, holding for Ms. Irani for the Petitioner submits that they have already written email to the petitioner

directing her that they are withdrawing the Vakalatnama on behalf of the Petitioner, seeking withdrawal of the Vakalatnama for petitioner, and informing the petitioner to make alternate arrangement.

4. Even on the last occasion Ms. Irani had sought an adjournment on the grounds she will be writing email to the Petitioner.

5. When the matter was called out, none appears for the Petitioner.

6. Mr. Ansari, learned counsel for the respondent wife submits that this Writ Petition has now become infructuous. Since the Petition was filed in the year 2016 and was never moved to take it on board by the Petitioner husband.

7. The travel period for minor son 'Ahren' was due from '20 October 2016' till '6 November 2016'. The said duration has already expired. Hence, the Writ Petition is dismissed as infructuous.

(RAJESH S. PATIL, J.)