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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

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Date: 2024.03.07
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WRIT PETITION NO.15410 OF 2023

Nilesh S. Sawant

...Petitioner

V/s.

Poonam N. Sawant

...Respondent

Mr.Paras Yadav with Mr.Sumant Patale for the Petitioner.

Mr.Kishor Hase for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 1ST MARCH, 2024.

P.C. :-

1. This Writ Petition was on board yesterday when the Petitioner was specifically directed to take instructions from his client. Since the impugned order is entirely in favour of his client, except clause No.6 of the operative part of the impugned order dated 13 September 2023. The order passed yesterday i.e. on 29 February 2024 is reproduced hereinbelow :-

“1. This Writ Petition challenges the order dated 13 September 2023 to the limited

extend of clause No.6 of the operative part of the order. The clause No.6 of the operative part of the order is reads as under :-

“6. Overnight access on Saturday and Sunday and 50% vacation access is hereby rejected.”

2. Mr. Hase appearing for the respondent submits that even on the earlier occasion similar kind of order passed on 26 October 2021 and the same was not challenged by the petitioner husband. He submits that there is no merits in the present writ petition since the similar kind of order passed earlier has not been challenged by the petitioner husband.

3. At the request of Mr. Somnath Tehngar, learned counsel for the Petitioner, stand over to 1 March 2024.”

2. Today, the Petitioner submitted that he has instructions from his client to argue this Petition on merits. No case is made out by the Petitioner to interfere with the impugned order dated 13 September 2023 passed by the Family Court, Pune.

3. The Writ Petition is dismissed.

4. The hearing of Marriage Petition No.PA 12523 of 2019 pending before the Family Court, Pune is expedited.

(RAJESH S. PATIL, J.)