
IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO.1318 OF 2024****IN****FAMILY COURT APPEAL NO. 18 OF 2024**

Sou Kalyani Santosh Shirsagar

..Appellant

Versus

Shri Santosh N. Shirsagar

..Respondent

Mr. Nikhil Pujari, *Advocates for the Appellant/wife.****Surin Usgaonkar***, *with Mr. Atul Reokar, Advocates for the Respondent.****Mrs. Kalyani Shirsagar***, *the Appellant-wife is present in Court.****Mr. Santosh Shirsagar***, *the Respondent-husband is present in Court.*

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : APRIL 26, 2024

P.C.

In the above Interim Application, we had passed an order on 5th April, 2024. By the said order, we had recorded the statement made on behalf of the Respondent-husband, and who has custody of the minor child-Ananya, that as a pro-tem arrangement, the mother (Applicant/Appellant) can have access to the daughter-Ananya on every Saturday from 6.00 p.m. to 9.00 p.m. It was further recorded that the Respondent-husband shall

drop the child to the house of the Appellant-wife at 6.00 p.m. sharp and pick her up again from the said house at 9.00 p.m. sharp on the very same date. This arrangement was to continue until we pass further orders in the above Interim Application.

2 Today when the matter is called out, the learned counsel appearing on behalf of the Respondent-husband has filed a reply opposing the reliefs in the above Interim Application in which the Appellant-wife seeks custody of the daughter-Ananya. That is something that we will adjudicate on a later date. However, the parties have agreed that until the above Interim Application is heard and decided, on every Saturday, the Respondent-husband will give access of the daughter-Ananya to the Appellant-wife for six hours. In other words, the Respondent-husband shall drop the child to the residence of the Appellant-wife at 3.00 p.m on every Saturday and pick her up again from the said house at 9.00 p.m. on the very same date. We accept the said statement made on behalf of the Respondent-husband as an undertaking given to the Court. We make it clear that during this access period, the Appellant-wife is permitted to take the child out of the house, provided the child is brought back to be fetched by the Respondent- Husband/ Father @ 9 p.m

3 This arrangement shall continue until further orders. We may also consider that before the above Interim Application is finally decided, subject to hearing of the parties, to grant overnight access to the mother on any given Saturday. We now place the above Interim Application on Board on 21st June, 2024.

4 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.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]