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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7408 OF 2024**

Pooja Nikhil Dedhia ... Petitioner

Vs.

Nikhil Arvind Dedhia ... Respondent

Mr. Dushyant Purekar for the Petitioner.

Mr. Rimpal Trivedi a/w. Mr. Harshida Bhanushali for the Respondent

CORAM : GAURI GODSE, J.

DATE : 13th JUNE 2024

P.C.

1. Both the parties are present in Court. Considering the interest and welfare of the minor daughter both parties have agreed for the following order. Following order is passed without prejudice to the rights and contentions of all the parties :

(i) The respondent-father shall take the daughter from the place of residence of petitioner-mother on 15th June 2024 at around 6.00 pm. He shall drop the daughter to the place of residence of mother on 16th June 2024 at around 6.00 pm.

(ii) The daughter be allowed to have phone or video calls with the petitioner-mother as per her wish through her smart watch or any other communication device.

(iii) The respondent-father, his parents and all other persons who communicate with the daughter during the overnight access shall not discuss with the daughter about the divorce proceedings between the petitioner and respondent and they shall not talk or communicate anything that is negative in nature about the petitioner, her parents and family members and shall not tutor her in a manner detrimental to her mental health. The respondent and his family shall ensure that the daughter is taken care of adequately and is not put under any pressure and circumstances. They will not have any communication that is harsh in nature which will cause any kind of emotional stress to the daughter.

(iv) The petitioner shall inform the respondent about the foods to which the child is allergic and the respondent shall ensure that during the access such foods are not consumed by the daughter.

(v) In case, at any time during the access the daughter is uncomfortable and intends to return to the mother then the father shall drop her to the residence of mother immediately.

2. The respondent undertakes to this court that he will abide by the aforesaid conditions.

3. Needless to record that even the petitioner shall not tutor the child against the father. The petitioner agrees that she will make efforts to make the child understand for smooth access as provided above.

4. The petitioner also undertakes to abide by the aforesaid conditions.

5. List the petition on 19th June 2024. To be listed under the caption for "Compliance and Directions".

[GAURI GODSE, J.]