

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7771 OF 2024

Shri. Samrat Dadasaheb Durge

...Petitioner

Versus

Smt. Sneha Samrat Durge

...Respondent

Mr. Rajendra Kalebere for the Petitioner.

Mr. Sandeep Phatak for the Respondent.

SNEHA
NITIN
CHAVAN

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CORAM : M.M. SATHAYE, J.

DATE : 28 MAY 2024

(VACATION COURT)

P.C. :

. By this petition, the Petitioner/husband is challenging an order passed by the Family Court, Pune, by which the prayer for allowing physical access to minor child 'Shaurya' for 50% of the summer vacation i.e. 22 days, is rejected.

2. The learned counsel for the Respondent/wife appeared, and tendered a copy of reply, which is taken on record. He opposed the petition.

3. The learned counsel for the Petitioner/husband states on instructions, that even if an access of 2 days per week is granted, for the remaining part of the vacation till 18.06.2024, the Petitioner will

not press the petition as per its original prayers. The learned counsel for the Respondent/wife, on instructions, states that Respondent/wife is not ready to accede to this request. He submitted that the child himself is not willing to go to the father.

4. Faced with this situation, a specific query was put to the learned counsel for the Petitioner, whether the Petitioner/father is willing to file an undertaking that in case additional access is granted during vacation, if it is found that the child is not willing to meet the father, he will not be forced. The learned counsel for the Petitioner submits on instructions, that the Petitioner is willing to file such undertaking. Let the undertaking to be filed on or before next date, with its copy simultaneously served upon the learned counsel for the Respondent/wife

5. Considering that the prayer is limited for the period of vacation getting over on 18.06.2024, place the matter for further orders on 06.06.2024.

6. All concerned to act on duly authenticated/digitally signed copy of this order.

(M.M. SATHAYE, J.)