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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7771 OF 2024**

Dr. Samrat Dadasaheb Durge ... Petitioner
Vs.
Sneha Samrat Durge ... Respondent

Mr. R. C. Kalebere for the Petitioner.
Mr. Sandeep Phatak for the Respondent.

CORAM : GAURI GODSE, J.

DATE : 14th JUNE 2024

P.C.

1. This petition takes an exception to order dated 12th April 2024 by the Family Court, Pune rejecting the petitioner-father's application for access for the birthday of the child and summer vacation.
2. Learned counsel for the respondent-mother who is present in court states that the summer vacation of the child would come to an end on 17th June 2024.
3. Learned counsel for the respondent further submits that the respondent-mother is agreeable if the petitioner is granted access from 10.00 am to 6.00 pm on 15th June 2024 and 16th June 2024. He

submits that she will bring the child at Bal Sankul, Family Court, Pune to drop and pick up the child on both days.

4. Learned counsel for the petitioner on instructions of the petitioner who is present in Court submits that the petitioner is agreeable for this arrangement. In view of the aforesaid arrangement for granting access for two days nothing further remains for consideration in the present petition.

5. After considering the submissions made by the parties, this court relieves the petitioner from the undertaking dated 29th May 2024.

6. Learned counsel for the petitioner therefore submits that the petition can be disposed of with liberty to the petitioner to make a fresh application for similar reliefs for the next vacation, whenever due. Considering the submissions made by both the parties following order is passed :

(i) The petitioner is granted access to meet the minor child on Saturday, 15th June 2024 and Sunday, 16th June 2024 from 10.00 am to 6.00 pm.

(ii) Respondent shall drop and pick up the child on the

aforesaid dates and time at Bal Sankul, Family Court, Pune. The petitioner shall pay the travelling expenses of Rs. 2000/- to the respondent for the aforesaid two days directly to the respondent.

(iii) It is clarified that at the time of handing over the custody of the child to the petitioner for the aforesaid access, the respondent shall ensure that the handing over of the child shall be smooth. It will be the responsibility of the respondent that the child is sent in a comfortable manner for the aforesaid access. It is further clarified that the petitioner shall also take equal responsibility for the smooth access by considering the interest of the minor child.

(v) Petitioner is at liberty to file appropriate application for vacation access in the Family Court, Pune as and when due for any future vacation. If any such application is filed, the same to be decided afresh on its own merits uninfluenced by the impugned order or the present arrangement.

(vi) Writ Petition is disposed of in the above terms.

[GAURI GODSE, J.]