

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10907 OF 2024

Mangesh Harishchandra Pawar

.....Petitioner

Vs.

Rohini Mangesh Pawar

.....Respondent

Ms. Akanksha Verma a/w Mr. Ashok Verma for the petitioner

CORAM : GAURI GODSE, J.

DATE : 9th AUGUST 2024

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ORDER:

1. This petition is filed by the petitioner for expediting the proceedings of Marriage Petition No. 110 of 2019 in a time bound manner. There are also prayers made seeking directions against school authorities to give access of the academic records of the children.

2. Learned counsel for the petitioner submits that the petitioner's application for access was filed on 20th October 2020 and the same is not yet decided. She further submits that petitioner's application annexed at page 64 for interim custody of the children is also not

decided.

3. Perusal of the application annexed at page 86 for overnight access of the minor children appears to have been filed on 20th October 2020. There are joint pursis filed by the parties which are annexed to the petition which indicates that the parties had amicably agreed regarding the order of access. There are photographs annexed to the petition which shows that the petitioner has access to meet the children.

4. It is submitted by the learned counsel for the petitioner that this petition is mainly filed because the petitioner is concerned for the minor children and the application for access is not being decided. I do not find any such averment in the petition. The prayer is not for expediting the application for grant of custody or the application for access. However, the prayer is for expediting the proceedings of Marriage Petition which is filed for divorce.

5. Considering the copies of application and orders passed by Court of Judicial Magistrate First Class at Vasai annexed to the petition as well as averments made in the petition, I do not find that this is an exceptional case for directing expeditious hearing of the marriage

petition in a time bound manner.

6. Prayers which are made in the petition cannot be entertained in view of the legal principles settled by the Hon'ble Supreme Court in the case of **High Court Bar Association, Allahabad Vs. State of U. P. and Others¹**.

7. Writ petition is therefore dismissed.

[GAURI GODSE, J.]

¹ 2024 SCC Online SC 207