

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 263 OF 2024

WITH

INTERIM APPLICATION NO. 9616 OF 2024

IN

CONTEMPT PETITION NO. 263 OF 2024

Hema Bhavin Ravasia ...Petitioner
Versus
The State Of Maharastra ...Respondent

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Ms. Hema B. Ravasia, the Petitioner in person.

Mr. B. V. Samant, Addl G.P, with Mr. J. D. Patil, AGP, for the Respondent – State.

Mr. Yogendra Rajgor, i/b Legal Chartered, for the Respondent in CP/263/2024 and for the Applicant in IA/9616/2024.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 22nd JULY, 2024

P.C.:

1. Heard, Mr. Rajgor, learned counsel for the respondent in the Contempt Petition. It is his contention, that on 08.04.2024 the minor son, Dhyaann, aged 9 years 6 months, walked out of his own volition from the residence of the petitioner-mother and

reached the residence of the father and has made a statement that he is not willing to reside with his mother.

2. It is contended that in pursuance to this, an application has been made by the respondent-father before the learned Magistrate, who is seized of the Domestic Violence proceedings, dated 08.04.2024 and so also before the Family Court, Bandra, on 12.04.2024. It is stated that the Police Authorities, have recorded the statement of the child, on the complaint of the petitioner-mother, which statement according to the respondent, is to the above effect. It is further contended that on 09.05.2024, a learned Single Judge of this Court by an order dated 09.05.2024 in Criminal Application No. 913 of 2022, has directed to hand over of the custody of both children to respondent No. 2-wife, on 10.05.2024, in pursuance to which the custody is claimed to have been handed over on 02.06.2024. It is contended that on 30.06.2024 the son, has again walked out from the residence of the mother, to the residence of the father. It is in these circumstances, it is stated that the child is now being sent for counseling to the counsellor, Family Court, Bandra.

3. Considering the above position; since the wishes of the child have to be ascertained, the Family Court No.7, Bandra, is directed to ensure that the counseling of the minor son, Dhyaann is completed by 26.07.2024 and a report in that regard be placed before this court on 29.07.2024.
4. Till 29.07.2024, the child shall be taken to the counsellor, Family Court, Bandra, where the mother shall be permitted to meet him daily, from 3.30 pm to 5.30 pm every day till 28.7.2024. The custody of the daughter, Siyaa, aged 6 years is already with the mother and to be continued with her.
5. List the matter on 29.07.2024.

(AVINASH G. GHAROTE, J.)