

**IN THE PARSİ CHİEF MATRİMONİAL COURT AT MUMBAI
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO.456 OF 2024
IN
PARSI SUIT NO.2 OF 2024**

MRS.DELNA PALASH ANKLESVARIA)...APPLICANT

IN THE MATTER BETWEEN

MRS.DELNA PALASH ANKLESVARIA)...PLAINTIFF

V/s.

MR.PALASH PERVEZ ANKLESVARIA)...DEFENDANT

Ms.Kashmira Bharucha i/by Mr.Prasad Gajbhiye, Advocate for the Applicant.

Mr.Pervez Rustomkhan, Advocate for the Defendant.

CORAM : ABHAY AHUJA, J.

DATE : 18th APRIL 2024

P.C. :

1. This suit has been filed by the Plaintiff under Section 32(dd) of the Parsi Marriage and Divorce Act, 1936, for decree of divorce by the Plaintiff-wife. There is also an Interim Application filed on behalf of the Plaintiff-wife for alimony pendente lite.

2. Today, when the matter is called out, Mr.Rustomkhan, learned Counsel, appears for the Defendant-husband and submits that he would

need some time to file reply to the Application as well as written statement in the suit, and therefore, this Court grant some time in the matter. Learned Counsel also submits that although access was granted to the Defendant-husband till July 2023 to his son, since that date, the Plaintiff-wife has not allowed the Defendant-husband to have access to the 9 year old son as well as his family members, and that, the Defendant-husband is in the process of also filing an application for access by the family members. Mr.Rustomkhan would also submit that tonight the Defendant-husband is leaving for a voyage for about seven months, and therefore, this Court atleast consider granting access of the child to the Defendant-husband this evening, so that before leaving the Defendant-husband can spend some time with the son.

3. Ms.Bharucha, learned Counsel, appearing for the Plaintiff-wife, on instructions, submits that the Plaintiff-wife has no objection for granting access and that the parties would mutually work out the access details for this evening. Ms.Bharucha also submits that the Defendant-husband has always had access to the son and even while he is travelling, he has video conferencing access to the son and that would be continued, in any event. The statements are accepted.

4. List on **27th June 2024**.
5. In the meanwhile, let pleadings be completed.

(ABHAY AHUJA, J.)

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