

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 14915 OF 2024
IN
PARSI SUIT NO. 2 OF 2024

Palash Pervez Anklesvaria ... Applicant

Versus

Delna Palash Anklesvaria ... Respondent

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

Ms. Kashmira S. Bharucha instructed by Mr. Prasad Gajbhiye, Advocate
for the Plaintiff.

Mr. P.M. Rustomkhan, Advocate for the Defendant.

CORAM : ABHAY AHUJA, J.
DATE : 19 DECEMBER 2024

PC. :

1. Pursuant to the order dated 26th September 2024, today when the matter is called out, Mr. Rustomkhan, learned Counsel, appears for the Defendant and submits that the Defendant has now come on break from sea on 10th December 2024 and will be at shore for a minimum period of two months. Mr. Rustomkhan submits that therefore, some

time be granted to file an Affidavit of assets and liabilities on behalf of the Defendant and also to finalize the draft issues. Mr. Rustomkhan also submits that that now the Defendant is here and the child would also have vacation, if the Plaintiff can cooperate in permitting the child to spend more time with the father and also visit the paternal grandmother as she has recently had a fall. Mr. Rustomkhan also submits that since it has been learnt that the child has learning disability, the Plaintiff co-operate in working out a long term solution for the sake of the child. Mr. Rustomkhan also submits that in the interest of the marriage and the child, this Court may now since the Defendant is on shore for some time, consider referring the matter to a marriage Counsellor.

2. Ms. Bharucha, learned Counsel, appears for the Plaintiff and submits that she will advise her client to render full co-operation in the interest of the child and even for meeting the father and the grandmother. Ms. Bharucha has also no objection if the parties are referred to a marriage Counsellor of the Main Mediation Center of this Court. Ms. Bharucha also submits that the Affidavit of assets and liabilities on behalf of the Plaintiff has already been filed and served upon the other side. Ms. Bharucha also tenders across the bar draft issues on behalf of the Plaintiff.

3. Having heard the learned Counsel and having considered the above submissions, the following order is passed :

- (i) Let the Affidavit of assets and liabilities on behalf of the Defendant be filed by the next date, with a copy to the other side.
- (ii) Let the draft issues be exchanged between the parties and let the same to the extent possible be finalized by the next date.
- (iii) Let the parties work out meetings and access to the child on a mutually convenient basis.
- (iv) Let the Main Mediation Centre appoint an appropriate marriage Counsellor for the parties, considering the fact that the Defendant-husband would be at shore for about two months.
- (v) Let the parties approach the Main Mediation Centre and co-operate with the Counsellor so appointed.
- (vi) List on **30th January 2025**.
- (vii) Let the Main Mediation Centre furnish an update of the counselling on the next date.

(ABHAY AHUJA, J.)