



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

926 WRIT PETITION NO. 13678 OF 2025

Rajashri Rohidas Koli

VERSUS

Kavita Kiran Sapkale And Others

...

Advocate for the Petitioner : Mr. Khushi K. Varma

Advocate for Respondent No.3 : Mr. Jay Veer h/f Mr. Kalpesh Suryawanshi

...

CORAM : ARUN R. PEDNEKER, J.

Dated : November 18, 2025.

PER COURT :-

1. Heard the learned Counsel for the petitioner and the learned Counsel for respondent No.3.
2. Perused the impugned orders passed by the Family Court, Jalgaon directing the petitioner to hand over unsupervised custody of the adopted child to respondent No.3, the adopted father, from the adopted mother on first and third working Saturday between 03:00 p.m. to 05:00 p.m. The Family Court had directed respondent No.3 to return the child in the Court premises at 05:00 p.m. However, the said order has not been complied with, and the petitioner has challenged the impugned order.
3. The Court has noticed that there is no risk to the life or well-being of the child. The learned Counsel for the petitioner submits that the child was taken in adoption, and subsequently there was a divorce between the adopted father and the adopted mother, and the child has since been in the custody of the mother. There has been visitation granted to the father, and such visitation is being exercised in the Court premises.

4. However, the Court has further noticed that by virtue of the interim order, the father receives access to the child only for two hours, between 03:00 p.m. and 05:00 p.m., on every first and third working Saturday, in the Court premises. As there was only one working Saturday between 02/08/2025 and 20/09/2025, the Family Court, Jalgaon directed the petitioner to hand over custody of the child to respondent No.3 in the Court premises at 03:00 p.m. on 12/08/2025 for unsupervised custody, and respondent No.3 was directed to return the child in the Court premises at 05:00 p.m. on the same day. Unfortunately, the petitioner/mother did not hand over custody of the child as directed.

5. The petitioner states that she is willing to grant custody only at her residence and only under the supervision, as reflected in the application. However, this Court does not consider that custody must invariably be supervised in all circumstances. The Family Court has already observed that there is no danger to the life or welfare of the child and that two hours of unsupervised custody will not cause any harm.

6. In view of the above, no case is made out by the petitioner. The petition therefore stands dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.