



Meena

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.510 OF 2025

KARAN BAJAJ

... PETITIONER

Versus

KERRY ANNE BAJAJ

... RESPONDENTS

Ms. Geeta Luthra with Ms. Tabitha Souto and Mr. Raunak Rao, Adv A. Kothari, Adv. J. Desai and Ms. Shivani Luthra, Advocates for the Petitioner.

Ms. Nandita Rao, Senior Advocate with Ms. Mrinalini Sen, Ms. Priyanka Kamat, Ms. Shivani Savaikar and Ms. Aditi Singh, Advocates for the Respondent.

CORAM:- VALMIKI MENEZES, J.

DATED :- 20th December, 2025

OPERATIVE PART

1. I, therefore, proceed to pass the following order:

a) The mother (Kerry) is permitted to travel the United States of America (USA) from 21.12.2025 with her two minor children (names withheld, name shall be placed in a separate envelope along with this order), and shall return to India(Goa) on 03.01.2026.

b) On her return, the mother shall hand over the custody of the children to the father (Karan) at the usual time on 05.01.2026, after which the children shall be in the custody of the father for the entire

week, and thereafter he shall hand over the custody to the mother in the following week on Monday. This arrangement shall continue for custody of the children, alternating from week to week, with each parent, the changeover taking place on Mondays, until further orders of the District Court in the two pending custody applications.

c) It is clarified that this order shall operate as a limited custody order solely for the purpose of permitting the mother to travel to the United States of America (USA) under orders of this Court/District Court.

d) The mother shall file an affidavit during the course of the day, furnishing the itinerary of her travel from Goa to Florida (which is her ultimate destination) and her movements in the United States of America (USA) during the period from 21.01.2025 to 03.01.2026. The affidavit shall contain the details of flights between Goa and Florida.

e) A statement has been made by the learned Counsel appearing for the mother on instructions, that during their stay at Florida, the children shall visit their parental grandfather (Col. Jatinder Bajaj), who resides at Maryland the United States of America (USA) between 28.12.2025 and 30.12.2025; this is to ensure that the children spend some time with their parental grandfather during Christmas. If Col. Jatinder Bajaj is willing to travel, the mother shall make all arrangements for his travel to Florida during this period to ensure that the children spend

some time with their paternal grandfather.

f) The Registrar (Judicial) of this Court shall ensure the communication of this order, with the names of the children and the mother under closed cover to the Foreigners Regional Registration Office (FRRO) at Panaji and also to the Immigration Authorities including the Immigration Authorities at Mopa airport to ensure that an endorsement of this order is made in the immigration systems/record when the children leave the country.

g) The Petitioner father may also communicate this order to the Courts with jurisdiction, in Florida, and it is open to the father to file such a proceeding to ensure, if he so desires, to have mirror orders passed by the appropriate Courts in the US, America.

h) The Registrar(Judicial) shall also ensure that this order is communicated through e-mail to the United States of America Consulate at Mumbai and the United States of America Embassy in New Delhi.

i) The father (petitioner herein) shall forthwith hand the passports of the children to the Registrar(J) of this Court, who shall, under endorsement, hand the custody of the same to the mother of the children(i.e. Respondent herein).

j) On return to India, the mother, respondent herein, shall deposit the passport of the children, under application with the Registry of the Principal District Court, North Goa, Mercês, on 05.01.2026, who shall keep the same under safe custody until further orders of the District Court.

k) The condition imposed on the mother directing her to deposit Rs.10 lakhs by way of Fixed Deposit with the Registry of the District Court shall continue to operate. Considering that the mother is due to travel late tonight, and this order would not be uploaded by the time the District Court accepts the same, she is permitted to deposit this Fixed Deposit by Tuesday, 23.12.2025, through any other responsible person.

l) The District Court, on commencement of hearing of the two guardianship applications, shall ensure that the minor children are interviewed by Counsellor/Psychologist Mylin Maria Gonsalves, Bela-Vista, Sangolda, Bardez- Goa, who shall act as a Counsellor and would interview the children, and if required also the parents, at her convenience, and submit a report of her findings to the Principal District Court, which shall be taken into consideration before passing orders on the pending custody applications; the parties shall bear the cost of fees of the Counsellor in equal proportion.

m) The parties shall adhere to this order in letter and spirit; both

parties were present during the entire court proceeding and have participated therein by regularly instructing their Counsel. This order was dictated and pronounced in their presence.

2. Rule is made absolute in the above terms.

3. The parties are each handed over an authenticated copy of this order to ensure that they act in accordance with the same.

VALMIKI MENEZES, J.