

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

MISC. CIVIL APPLICATION NO. 519 OF 2024

Sarfaraj Khalil Pathan ...Applicant

Versus

Fatima Sarfaraj Pathan ...Respondent

Mr. Omkar Khaiyam Shaikh, for the Applicant.

Mr. Ranjeet Patil, for the Respondent.

CORAM: N. J. JAMADAR, J.

DATED: 9th MAY, 2025

PC:-

1. Heard the learned Counsel for the parties.
2. The principal grievance of the applicant is that the learned Judge, Family Court at Sangli has not passed order on the application for interim custody (Exhibit-7) though the said application was heard on 15th June, 2024. The learned Counsel invites the attention of the Court to an order dated 1st February, 2025 passed by the learned Judge, which indicates that the learned Judge is of the view that order cannot be passed on the application (Exhibit-7) unless an order passed by this Court is produced.
3. The learned Judge, Family Court, Sangli, has clearly misdirected herself. There is no order of stay passed by this Court. Resultantly, there is no impediment for the learned

Judge, Family Court, Sangli, to pass orders on the pending applications, which have been heard, in accordance with law.

4. As the transfer of the proceedings to another Court may cause inconvenience and prejudice to the parties, and the principal grievance is of refusal to pass order on the applications, which have been already heard, this Court considers it appropriate to direct the learned Judge, Family Court, Sangli, to pass the orders on the interim applications including the application (Exhibit-7) as expeditiously as possible and, preferably, within a period of six weeks from the date of communication of this order.

5. Application stands disposed.

No costs.

[N. J. JAMADAR, J.]