

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3297 OF 2025

Gauri Abhishek Chavan ...Petitioner
Versus
Abhishek Ajit Chavan ...Respondent

Mr Ashutosh M Kulkarni, with Akshay Kulkanri, for the Petitioners.
Mr JK Shah, with Namrati Thakur, i/b RJ Law, for the Respondent.

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CORAM **G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.**

DATED: **5 MARCH 2025**

PC:-

1. We have heard learned counsel for the parties on this petition. The limited relief the petitioner prays in the present petition is that the petitioner's application below Exhibit-192 has filed in a Petition No. A-250/2020 pending before the Family Court, Bandra be directed to be decided expeditiously on its merits. The prayer in the application is for a permission to take the minor daughter to Portugal to attend a family function. It is contended and admittedly the petitioner and the child have Indian Passports. They intend to visit Portugal between 16 to 24 May 2025, which is a very limited period.

2. Be that as it may, the application in question is pending consideration of the Family Court, , we keep open all contentions of the parties to be urged in the pending application and appropriate orders to be passed by the Family Court.

3. Also, today the immediate concern raised on behalf of the petitioner is that the passport of the child which is deposited with the Family Court, be released to the petitioner so that the Visa formalities can in the meantime be processed. It is stated that this process consumes some time. It is also contended that for processing such Visa, tickets were required to be purchased which are already purchased by the petitioner.

4. In our opinion, no prejudice will be caused if the Visa formalities are undertaken to obtain the Visa for the daughter to visit to Portugal. This shall be subject to the final orders to be passed by the Family Court on application below Exhibit-192.

5. We accordingly direct the Family Court to release the Passport of the child to the petitioner on an authenticated copy of this order being presented so that the petitioner can pursue the Visa formalities. This shall be subject to all rights and contentions of the parties to be urged on the application Exhibit-192 and the order to be passed by the learned Judge of the Family Court on such application.

6. We are accordingly inclined to dispose of this petition with a direction to the learned Judge of the Family Court to dispose of the application below Exhibit-192 by hearing the parties on its adjourned date. A copy of the order be made available to the parties on the same day.

7. Needless to observe that depending on the orders which would be passed by the Family Court, further consequential orders be passed.

8. Disposed of in the aforesaid terms. No costs.

(ADVAIT M. SETHNA, J)

(G. S. KULKARNI, J)