

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11828 OF 2025

Nitin Dilip Bubera

...Petitioner

Versus

Monika Nitin Bubera

...Respondent

Mr. B. G. Tangsali, for the Petitioner.

Mr. Kishor H. Hase, for the Respondent.

CORAM: MADHAV J. JAMDAR, J.

DATED: 18 SEPTEMBER 2025

P.C.:

1. By the present Writ Petition filed under Article 227 of the Constitution of India, the challenge is to the Order dated 12th August 2025 passed by the learned Principal Judge, Family Court, Thane below Exhibit-18 in Petition A - 431 of 2024.

2. Pursuant to the Order dated 11th September 2025, the Petitioner - Nitin Dilip Bubera has restored the custody of the minor daughter to the Respondent-mother on 12th September 2025. Thus, Paragraph 11(2) of the impugned Order dated 12th August 2025 has been complied with. The said Clause No.11(2) of the Order dated 12th August 2025 of the learned Principal Judge, Family Court, Thane

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directing that the custody of minor daughter shall remain with the mother till final disposal of the main Petition i.e. Petition No. A-431 of 2024, is confirmed.

3. As far as direction as contained in Paragraph No.11(4) concerning visitation rights of the Petitioner-father to meet the minor daughter are concerned, the parties have arrived at a temporary arrangement till disposal of the Petition No. A - 431 / 2024 by way of the 'Consent Terms' dated 18th September 2025.

4. Both, the Petitioner and the Respondent are personally present in Court and state that both of them have arrived at the Consent Terms. Both of them have signed the Consent Terms. The respective Advocates have also signed the Consent Terms and they identify the signatures of the respective clients. Accordingly, the Consent Terms are taken on record and marked "X" for identification. A scanned copy of the Consent Terms is reproduced herein below :-

X' Tabled in the Court on 18/9/25

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 11828 OF 2025

DIST.:-THANE

Mr. Nitin Dilip Buberu — Petitioner

v/s

Mrs. Monika Nitin Buberu — Respondent

CONSENT TERMS

1. It is agreed between both the parties of the above-referred Writ Petition is as follows:-

(i) Petitioner will borne the expenditure of Rs. 3000/- towards Baby child Sayee's travelling from Purna to Kalwa & vice versa.

(ii) Petitioner will also borne the expenditure of Sayee's medication, School fees, & clothing etc.

(iii) Petitioner is agreed to pay monthly maintainance to Respondent namely Monika and child namely Sayee to the tune of Rs. 8000/- p.m. on or before 10th of every month by depositing in Respondent's Bank A/c.

(iv) Custody & Access of child Sayee should be with the Petitioner/Husband on every 2nd & 4th Saturday after school hours till Monday morning. Custody and Access of child Sayee should be with the Respondent wife i.e. Mother of Sayee on every 1st & 3rd Saturday to Monday.

(v) Respondent is agreed to tell baby child Sayee to call her father/Petitioner as far as possible. Petitioner, Respondent alongwith Sayee will meet once or twice in the month together.

(iv-b) Till the current academic year Sayee will continue at S.V.P.M., Kalwa, after that she will be transferred to Holy Mary Convent School, Rahma).

(v) Both the parties are agreed to take Sayee by petitioner on Laxmi Poojan in the evening at about 4 p.m. and on the occasion of "Bhaubeej" on every Diwali vacation.

Both the parties are abide by the above Consent Terms

Dated at Mumbai on 18th September 2025-

Bhargava
Advocate for Petitioner

Pooja
Petitioner

Agarwal
Advocate for Respondent

Subera
Respondent

5. Various statements made by both the Petitioner and the Respondent in the Consent Terms are accepted as undertakings given to this Court.

6. Accordingly, the Writ Petition is disposed of by confirming the Order dated 12th August 2025 passed by the learned Principal Judge, Family Court, Thane below Exhibit-18 in Petition A - 131 of 2024, subject to modification as set out in the Consent Terms.

7. The Writ Petition is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]