

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO.13646 OF 2025

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Date: 2025.10.17  
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Samir Christopher Fernandes

...Petitioner

*Versus*

Sonya Marise Misquitta

...Respondent

Mr. Laxman Birajdar (through Video Conferencing) i/b. Ms. Shilpa  
V. Kadam, for the Petitioner.

CORAM: MADHAV J. JAMDAR, J.  
DATED : 16<sup>th</sup> OCTOBER 2025

PC:-

1. Heard Mr. Birajdar, learned Counsel appearing for the  
Petitioner.

2. The challenge in the present Writ Petition is to the legality  
and validity of the order dated 13<sup>th</sup> August 2025 passed by the  
learned Judge, Family Court No.2, Pune, below Exhibit 83 in  
Petition A-No.570 of 2021 by which the following Operative Order  
is passed:

**“ORDER**

*1] Application is allowed.*

*2] Respondent is directed to remain present before the Passport Authority for the purpose of renewal of passport and fulfil all the formalities required for the same.*

*3] Petitioner shall inform the date of appointment for the renewal of passport in advance to respondent, so as to remain present before the concerned authority.*

*4] Petitioner is directed not to remove the child out of jurisdiction of this Court, without permission of this Court.”*

3. It is the main submission of Mr. Birajdar, learned Counsel appearing for the Petitioner that the Petitioner has no objection for the renewal of the Passport and he will comply with the requirements, however, there is apprehension that the child will be taken outside the jurisdiction of the Court by the Respondent - Wife. However, the learned Judge, Family Court, Pune, has already directed the present Respondent not to remove the child out of jurisdiction of the Family Court, without permission of the said Court.

4. Mr. Birajdar, learned Counsel appearing for the Petitioner states that the Passport be directed to be deposited in the Family Court, Pune. The said prayer can also be made to the Family Court,

Pune. Thus, the Petitioner is at liberty to file an application for modification of the said order dated 13<sup>th</sup> August 2025 before the learned Judge, Family Court, Pune.

5. Accordingly, in the facts and circumstances no interference in the impugned order is warranted under the jurisdiction of this Court under Article 227 of the Constitution of India.

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

[MADHAV J. JAMDAR, J.]