

K.R.Gadekar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15452 OF 2025

Vishruti Nikunj Patel

...Petitioner

Versus

Nikunj Ambalal Patel

...Respondent

Mr. Umesh S. Iyer i/by. Sarika Dubey, for the Petitioner.

Mrs. Taubon F. Irani a/w. Ms. Moksha Kothari for Respondent No.1

Ms. Newton, APP for Respondent No.2

Mr. D.P. Singh for Respondent No.3

CORAM: MADHAV J. JAMDAR, J.

DATED: 03 DECEMBER 2025

P.C.:

1) Heard Mr. Iyer, learned Counsel for the Petitioner, Ms. Irani, learned Counsel for the Respondent No.1, Ms. Newton, learned APP for Respondent No.2-State of Maharashtra and Mr. Singh, learned Counsel for Respondent No.3-Passport Authority of India.

2) By this Writ Petition filed under Article 227 of the Constitution of India, the Petitioner is challenging two orders dated 10th October, 2025 passed below Exhibit -40 and Exhibit- 71 in Petition A/2186/2024.

3) It is the contention of the Petitioner-Wife that passport of two minor daughters is with the Respondent No.1-Husband. However, it is

the contention of Respondent No.1-Husband that passport of minor daughters is with the mother.

4) The immediate urgency is that the minor daughter Saisha has been selected to participate in “Aerial Pole International Championship-2025” to be held at Budapest, Hungary from 9th December, 2025 to 14th December, 2025.

5) Letter dated 22nd September, 2025 of Indian Pole Sports Association addressed to the President / Secretary of the Maharashtra Pole Sports Association records that Ms. Saisha N. Patel has been selected to represent India in “World Pole Sports and Aerial Sports Championship-2025”. However, as the daughter’s passport was not traceable the Petitioner-Mother filed Applications in the Family Court and certain directions have been given.

6) Mr. D.P. Singh, learned Counsel appearing on behalf of the Passport Authority took instructions on urgent basis as Saisha is representing India in international competition which is scheduled to be held from 9th December, 2025 to 14th December, 2025 and with his intervention the Passport Authority agreed to expeditiously issue passport. The requirements which are to be complied by the Respondent father has also been complied today, in the morning. Mr. D.P. Singh, learned Counsel states that only police verification be expedited. Ms. Newton, learned APP, on instructions from the Police Inspector of the

concerned Police Station states in view of the urgency, verification will be carried out expeditiously.

7) There is one more issue concerning necessary “No Objection” required by the organizers of the said competition from the parents. Mr. Nikunj Ambalal Patel – Respondent No.1, who is personally present in the Court undertakes that he will give necessary consent by today evening.

8) Both the parties have arrived at Consent Terms and the Consent Terms are signed by Petitioner as also Respondent No.1 and their respective Advocates. Both the Petitioner and Respondent No.1 are present in Court. Both of them state that they have arrived at arrangement and will abide by the said Consent Terms. The respective statements contained in the Consent Terms made by the Petitioner and Respondent No.1 are accepted as undertakings given to this Court.

9) The Consent Terms are taken on record and marked as Exhibit ‘X’ for identification. Scanned copy of the Consent Terms is reproduced hereinbelow for ready reference:-

X1 Tendral in the court on 3/12/25
TC
03/12/25
CR.W-19

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15452 OF 2025

VISHRUTI NIKUNJ PATEL ...PETITIONER

VERSUS

NIKUNJ AMBALAL PATEL AND ORS. ...RESPONDENTS

CONSENT TERMS

Pursuant to hearing dated 3rd December 2025 in the captioned matter, the Petitioner and Respondent No. 1 agree on the following terms:

1. Petitioner and Respondent No. 1 agree that the younger daughter Ms. Saisha Patel will participate in the Aerial Pole International Championship to be held at Budapest, Hungary from 9th December 2025 to 14th December 2025. The Petitioner mother to provide itinerary and ticket copies to the Respondent No. 1 father. *and father shall give necessary consent*
N.A. Patel V.K. Patel
2. It is agreed that the Petitioner mother will be solely responsible for the health and safety of the younger daughter Ms. Saisha Patel for the duration of the event and duration of the entire trip.
3. It is agreed that the elder daughter Ms. Shanaya Patel will stay with the father at his residence during the time the Petitioner mother is travelling with the younger daughter for the competition.

4. It is further agreed that the Respondent No. 1 father shall have access to both the daughters Ms. Shanaya Patel and Ms. Saisha Patel from 10:00 AM to 10:00 PM on Saturday i.e., 6th December 2025 at his residence. The Petitioner mother will drop the children to the Respondent No. 1 father's residence and the Respondent No. 1 father will drop the children back at the end of the access.
5. The Petitioner mother will ensure that the children go to the Respondent No. 1 father's house.

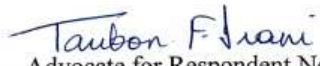
Dated this 3rd day of December 2025

Petitioner 


Respondent No. 1

Identified by me


Advocate for Petitioner


Advocate for Respondent No. 1

10) The learned Judge of the Family Court has directed that Respondent-Father to deposit an amount of Rs. 2,14,230/- in the account of the Indian Pole Sports Association (IPSA). Ms. Irani, learned Counsel appearing for the Respondent No.1, on instructions, states that the said amount be deposited by the Petitioner-Mother and the same will be reimbursed to the Petitioner-Mother on or before 7th December, 2025. The said statement made by Respondent No.1-Nikunj Ambalal Patel is accepted as undertaking given to this Court.

11) Accordingly, Writ Petition is disposed of in terms of Consent Terms and above terms.

12) This court places record its appreciation for the efforts taken by Mr. D.P. Singh, learned Counsel for the Respondent No.3 to ensure that the Passport Authority expeditiously issues passport in favour of daughter Saisha Patel and also of Ms. Newton, learned APP to ensure that the concerned Police Station takes expeditious steps to carry out verification process.

[MADHAV J. JAMDAR, J.]