

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2500 OF 2025
WITH
INTERIM APPLICATION NO. 2706 OF 2025

Sean Hendricks

...Petitioner

Vs.

Euphemia Hendricks

...Respondent

Mr. Abbass Mokhtiar and Mr. Rajesh Talekar for Petitioner.
Mr. V. S. Talkute for Respondent.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.
DATED: 21 FEBRUARY 2025

P.C.

1. We have heard learned counsel for the parties for sometime on the present proceedings which challenges an order dated 15 October 2024 passed by the Presiding Officer, Parents and Senior Citizens Welfare Tribunal and Sub-Divisional Officer, Mumbai Western Suburbs, whereby the petitioner has been directed to vacate the flat in question.

2. Before we proceed to pass further appropriate orders, after hearing learned counsel for the parties, considering the contention as urged on behalf of the petitioner that the respondent-step mother of the petitioner is in fact willing to stay with the petitioner and his fiancée Rupali Mhatre, we intend to ascertain this position. We accordingly appoint Mr. E. B. Sivakumar, Additional Prothonotary & Senior Master, High Court, Bombay,

to visit the place where the respondent is presently staying with her sister at Bandra and place on record a report on the general health condition of the respondent as also to ascertain from her whether the respondent is willing to stay with the petitioner and his fiancée Rupali Mhatre at the disputed flat at Kandivali and/or as to what is her real intention. Let such report be placed on record of this Court during the course of the day. Mr. Sivakumar is permitted to avail the assistance of a Police Constable from Sub Police Station at Bombay High Court. Learned advocates for the parties to assist Mr. Sivakumar to visit the place.

3. We accordingly place the proceedings to be taken up at 03.00 p.m.
4. After the report is received, we shall proceed to pass further appropriate orders.
5. Parties to act on an authenticated copy of this order.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)