



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1342 of 2025

[Ashish s/o Anandrao Patil ..vs.. Mrs. Prajakta w/o Ashish Patil]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs. J. D. Dharmadhikari, Advocate for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 12-03-2025

Heard.

The argument is that before leading evidence in the case filed by the petitioner – husband for divorce, he had moved application for custody of child and, thereafter, tendered affidavit in lieu of chief-examination and thus, the evidence covered the main petition seeking divorce, so also, custody of child. The respondent – wife had cross-examined the petitioner. The Family Court, however, of its own, permitted the respondent to again cross-examine the petitioner on the point of custody of child. The argument is two fold. Firstly, that the respondent had earlier cross-examined the petitioner and, therefore, there was no need to grant such permission. Secondly, the permission has been granted without having been sought by the respondent.

Issue notice, returnable in three weeks.

In the meantime, there shall be stay to the proceeding, viz. Petition No. A-308/2019 pending before the Family Court No. 1, Nagpur.

(Anil L. Pansare, J.)