



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

72 WRIT PETITION NO.1437 OF 2026

Jisha Nikhil Katariya Pratap Gopaldas Talreja

VERSUS

Nikhil Prem Katariya

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Advocate for Petitioner : Mr. M.G. Patil

Advocate for Respondent: Mr.A.D. Sonar h/f D.D Pande

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 09, 2026

PER COURT :-

1. Present writ petition takes exception to the order dated 9.12.2025 passed by the learned Family Court, Jalgaon below Exhibit nos.16, 18, 23, and 24 in petition no.A-180 of 2024.

2. It appears that various matrimonial proceedings are pending between parties before the Family Court. Husband had filed proceeding for divorce. Wife had filed proceeding for maintenance.

3. Parties were relegated to Marriage Counselor on the point of visitation rights/access to the non-custodian parent/father. Accordingly, on 21.10.2024 consensus was arrived at between parties and custodian parent-mother had agreed for access of son to father on first and third Saturday of

every month between 3.00 to 5.00 pm. in the children complex. It appears that subsequently, custodian parent/mother retracted her consent. Now, she is putting condition that she should be permitted to resume co-habitation, otherwise, she is not ready to give access of child to the father.

4. In these contingencies, Family Court in exercise of powers under section 26 of the Hindu Marriage act passed impugned order directing petitioner-mother to give supervisory access of child to the non-custodian parent/father in children complex on first and third working Saturday of every month between 3 to 5 pm.

5. A father is natural guardian of a child, who is hardly 3 years. At this stage, it would benefit child if both the parents have access with him. Now, custody of child is with mother. Father is also entitled for visitation rights or at least access to the child. The impugned order gives limited access of child with respondent/father. No illegality or jurisdictional error can be found in impugned order to interfere under writ jurisdiction of this Court. In result, writ petition stands **rejected**.

(S. G. CHAPALGAONKAR, J.)