

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.103 OF 2026

Digitally  
signed by  
ARJUN  
VITTHAL  
KUDHEKAR  
Date:  
2026.02.20  
22:05:13  
+0530

Shishir Kamalnayan Shirolkar

...Petitioner

Versus

Archana Shishir Shirolkar

...Respondent

---

Mr. Janay Jain i/b Akshay Arora, for the Petitioner.

Ms. Sangeeta Salvi, for the Respondent.

---

CORAM: MADHAV J. JAMDAR, J.

DATED: 20 FEBRUARY 2026

P.C.:

1. Heard Mr. Jain, learned Counsel appearing for the Petitioner and Ms. Salvi, learned Counsel appearing for the Respondent.

2. Mr. Jain, learned Counsel for the Petitioner, states that the challenge in the present Writ Petition is to the Order dated 26th December 2025 passed by the learned Judge, Family Court No.6, Mumbai, below Exhibit-132 in Petition No. A-2296 of 2020. By the impugned Order, supervised access has been granted. Mr. Jain, learned Counsel further states that the Petitioner has now returned back to the United States of America (USA) and, therefore, is not interested in prosecuting the Writ Petition.

3. On the other hand, Ms. Salvi, learned Counsel for the Respondent, submits that there is an apprehension that, on the basis of ex parte Order passed by the Williamson County Court, Texas, in Cause No.20-2427-FC3, the minor daughter will be taken to the USA.

4. However, Mr. Jain, learned Counsel for the Petitioner, points out the Judgment and Order dated 23rd September 2024 passed in Criminal Writ Petition No.110 of 2024, which was filed seeking issuance of a writ in the nature of Habeas Corpus on the basis of the ex-parte Order passed by the Williamson County Court, Texas, in Cause No.20-2427-FC3. He submits that, by the said detailed Order dated 23rd September 2024, a Division Bench of this Court declined to grant said relief, as also the relief of custody of the minor daughter and it has been specifically recorded that the welfare of the daughter lies in her staying with her mother. He submits that, therefore, there is no basis for the said apprehension. He further submits that the Petitioner will abide by the Order of the Division Bench of this Court passed in Criminal Writ Petition No.110 of 2024, wherein, the relief of issuance of a writ in the nature of Habeas Corpus and custody of the minor daughter was dismissed by specifically observing that it is always open for the Petitioner, as a father, to avail access to his daughter.

5. Thus, in view of the above, and particularly when the Petitioner has made a categorical statement that he will abide by the Order dated

23rd September 2024 passed by the Division Bench of this Court in Criminal Writ Petition No.110 of 2024, there cannot be any basis for the apprehension expressed by learned Counsel for the Respondent.

6. Accordingly, the Petitioner is permitted to withdraw the Writ Petition and the same is disposed of as withdrawn.

7. Mr. Jain, learned Counsel for the Petitioner states that, as and when the Petitioner returns to India, he will file an appropriate application before the Family Court seeking access. Ms. Salvi, learned Counsel for the Respondent submits that such access, if sought, shall be supervised access. If such application is filed, the same be decided on its own merits. All contentions in that behalf are expressed kept open.

**[MADHAV J. JAMDAR, J.]**