

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.15086 OF 2025

Chandani Gantha	... Petitioner
Vs.	
State of Maharashtra & Anr.	... Respondents

Ms. Vasudha Gupta i/by YNA Legal LLP for the Petitioner.
 Ms. Kavita N. Solunke, Addl. GP a/w S. L. Babar, AGP for the Respondent-State.
 Mr. Sandeep Maurya a/w Simran Vishwakarma for Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 10TH APRIL 2026

PC. :

1. This Petition takes exception to the order dated 7th August 2025 passed by the Family Court, Mumbai below Exhibit 34 in Petition No. D-34-2020.
2. By the order impugned, the Learned Family Court has rejected an application filed by the present Petitioner seeking permission to cross-examine Respondent No.2 in a Petition filed by him for custody of minor daughter.
3. I have heard Learned Counsel for the Petitioner and Learned Counsel for contesting Respondent No.2.
4. Learned Counsel for the Petitioner submits that the Learned Family Court has rejected the application on the ground that the present Petitioner has not complied with certain interim order passed in respect of access, etc. It is submitted that the Petitioner is ready to comply with the

said orders. It is submitted that in the interest of justice, opportunity be granted to the Petitioner to cross-examine Respondent No.2.

5. On the other hand, Learned Counsel for Respondent No.2 submits that the defence of the Petitioner is already struck off for non-compliance of the order of access. It is submitted that enough opportunity was granted to the present Petitioner to cross-examine Respondent No.2, however, the same was not availed. It is submitted that even the application seeking permission to cross-examine was not moved immediately and the same was filed after six months. It is submitted that considering the overall facts and circumstances, the impugned order needs no interference.

6. I have perused the impugned order. It appears that for non-compliance of the order of access, the defence of the present Petitioner is already struck off. The opportunity to cross-examine was closed by order dated 20th December 2024. However, the application seeking permission to cross-examine thereafter came to be moved on 07th May 2025, i.e., after more than five months. Considering the overall facts and circumstances, I am not inclined to interfere with the impugned order. The present Writ Petition is therefore dismissed.

(N.R. BORKAR, J.)