

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17474 OF 2025

Mrs Jeevika Jayesh Pawar
nee Dipti Ashok Taral

...Petitioner

Versus

Principal of Poddar Brio International School
CBSE & Ors.

...Respondents

Mr. Paramvir G. Narula for the Petitioner.

Mr. A.I. Patel, Addl. G.P. a/w Smt. P.J. Gavhane, AGP for the
Respondent-State.

CORAM : R.I. CHAGLA J
ADVAIT M. SETHNA, J

DATE : 11 February 2026

ORDER :

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1. By this Writ Petition, the Petitioner is seeking a direction to the Respondent No. 2 - Poddar Brio International School CBSE ("School") to issue school leaving / school transfer certificate of the Petitioner's son Pratham Jayesh Pawar immediately.

2. The Respondent No. 2 – School had issued email dated 2nd July 2025, wherein reference has been made to the email received from the Petitioner requesting for issuance of school leaving certificate of the Petitioner’s son Pratham Jayesh Pawar on 17th June 2025. However, Respondent No. 4 (father of Pratham Jayesh Pawar) had emailed the school requesting the school office not to issue the leaving certificate to the Petitioner. Respondent No. 2 – school had also observed that there was a pending matrimonial litigation regarding separation between the Petitioner and Respondent No. 4. Conditions had been imposed by the Respondent No. 2 – School in the said email, viz. receiving of claim of child custody by any of the parent and upon mutual agreement of issuance of a school leaving certificate.

3. The present Writ Petition had come up before this Court on 27th January 2026, on which date this Court had observed that the notice had been issued to Respondent No. 4. Notice was also issued to Respondent Nos. 1 and 2, returnable on the next date.

4. The learned Counsel for the Petitioner has referred to the email dated 9th February 2026, wherein reference is made about an

email having been sent by the Respondent No. 2 – School to the Respondent No. 4 on 24th December 2025, wherein it was stated that the school leaving certificate of Master Pratham Jayesh Pawar cannot be withheld within the school due to the lack of mutual consent between the parents for the issuance of the leaving certificate. It was further mentioned that a ‘NOC’ from the Respondent No. 4 had been received for the issuance of school leaving certificate to the Petitioner. A copy of the same has been enclosed. The Petitioner was requested to visit the school between 10 a.m. to 2 p.m. on any working day to collect the school leaving certificate of the Petitioner’s child Master Pratham Jayesh Pawar. Moreover, the Petitioner could also inform the Respondent No. 2 - School in advance about the date when the Petitioner will come for collection of the same. The email dated 9th February 2026 together with email dated 24th December 2025, which are tendered by the learned Counsel for the Petitioner are taken on record and marked “**X colly.**” for identification.

5. In view of the Respondent No. 2 – school having taken decision to issue school leaving certificate, we pass a similar order, as had been passed by us on 2nd February 2026 in Writ Petition (L) No. 2265 of 2026, wherein the same prayer had been made for issuance

of transfer / school leaving certificate to the Petitioner by the Respondent school.

6. In that case, reliance had been placed on an order dated 26th September 2024 in Writ Petition No. 10676 of 2024, by which this Court had taken the view that just because there was a matrimonial dispute between Petitioner No.1 therein and Respondent No.5 therein cannot be a reason for denial of issuance of transfer / school leaving certificate to Petitioner No.2 therein. Petitioner No.2 therein was entitled to pursue her education, which she was pursuing presently with Respondent No.4 - School therein.

7. Accordingly, this Court vide the said order dated 2nd February 2026, took a view that the interest of either parties can be safeguarded by observing that issuance of leave / transfer certificate by Respondent No.3 - school would be without prejudice to the rights and contentions of Petitioner No.1 and Respondent No.5, in the event of any matrimonial proceedings being filed, and which shall be decided independently and on its own merits.

8. We consider it appropriate to adopt a similar view as

taken by us vide order dated 2nd February 2026 and by this Court in Writ Petition No.10676 of 2024. In view of the fact that there is a matrimonial proceedings between the Petitioner and Respondent No.4, we pass the following order:-

- i. Respondent No. 2 - school shall take necessary steps within a period of two weeks from today for issuance of transfer / school leaving certificate in favour of the Petitioner's son Pratham Jayesh Pawar.
- ii. Issuance of transfer / school leaving certificate would not create any equities in favour of Petitioner or Respondent No.4 in their matrimonial proceedings. This is merely an ad hoc arrangement and subject to the outcome of the matrimonial proceedings between the Petitioner and Respondent No.4.
- iii. This order is passed in the peculiar circumstances of the present case and is not to be treated as a precedent.

iv. The Writ Petition is accordingly disposed of. There shall be no order as to costs.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]