



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 38569 OF 2025
IN
FIRST APPEAL NO. 1009 OF 2018

Rajjab Ahmad Hasan Ansari & Ors.

....Applicants/Appellants

Versus

Samim Indris Ansari

....Respondent

Ms. Megha Bajoria a/w. Mr. Chirag Sawant for the Applicants/Appellants.
Mr. Shriniwas G. Singh for the Respondent.

CORAM : JITENDRA JAIN, J.
DATED : 25th MARCH 2026

P. C. :

1. This Interim Application is filed by the applicant/appellant, seeking stay of the order dated 25th November, 2025 passed by the District Judge-1, Vasai, District Thane till final hearing and disposal of the present application.
2. After the present application was filed, the learned District Judge has issued one more warrant on 25th February, 2026. The prayer clause in the Interim Application to be amended forthwith to bring the details of the said warrant.
3. On 16th December, 2025, this Court had stayed warrant issued on 25th November, 2025. On 25th February, 2026, the appeal came to be admitted.

4. The issue involved in the present application revolves around custody of a minor child, who is presently staying with his maternal grandparents and maternal uncle and aunt at Uttar Pradesh.

5. The respondent-father is seeking custody of a minor child. The Court, therefore, on the earlier occasion decided to meet the child, so that, this Interim Application can be decided. Pursuant thereto, the minor child alongwith maternal grandparents are personally present in the Court and this Court had interaction with the minor child only in the chamber. After interacting with the minor child for 15 minutes, the Court is of the view that the custody of the minor child cannot be handed over to the respondent-father till the disposal of the appeal. The minor child will continue to stay with his grandparents, maternal uncle and aunt at Uttar Pradesh. Both the parties agree that the Court need not to give the reasons and the interaction which the Court had with the minor child in the chamber.

6. At the same time, to balance the equity, the respondent-father can meet the minor child once in three months by visiting the minor child at Uttar Pradesh. The said visit will be at the place of the grandparents of the child and in the presence of the grandparents and maternal uncle and aunt. The visit will be limited only for sixty minutes. The grandparents, maternal uncle and aunt will co-operate and ensure that the minor child meets his father for sixty minutes.

7. It is expressly made clear that the visit will be only at the place of the grandparents and the respondent-father will not take the minor child out of the said house. The cost for meeting the minor child will be borne by the respondent-father only.

8. Pending the final hearing of the present appeal, the custody will remain with the grandparents only, except the visiting permission granted by this Court. The respondent-father will intimate the grandparents atleast seven days before his scheduled visit and the grandparents should ensure that on the day and time of visit, the minor child is made available to meet his father.
9. The above order will operate till the final disposal of the appeal and all the proceedings with respect to the custody of the child, directly or indirectly, pending before any Court is stayed till further orders.
10. Interim Application is disposed of in above terms.

[JITENDRA JAIN, J.]