

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

**INTERIM APPLICATION NO.3191 OF 2026
IN
WRIT PETITION NO.4088 OF 2025**

Shardul Pujari	... Applicant
<u>In the matter between</u>	
Shardul Pujari	... Petitioner
Vs.	
Revati Pujari	... Respondent

Mr. Anish Shahapurkar i/by Gaurav Sinha for the Applicant/Petitioner.
Mr. S. S. Patwardhan i/by Mrinal Shelar for the Respondent.

**CORAM : N.R. BORKAR, J.
DATE : 23RD APRIL 2026**

P.C. :

1. By this Interim Application, the Petitioner-Father seeks the following reliefs:

- “(a) Pending the hearing and final disposal of the Civil Writ Petition No.4088 of 2025, this Hon’ble Court be pleased to issue temporary order and injunction thereby permitting the Applicant to take the Child, Ms. Mihika Shardul Pujari, to the United States of America for the Griha Pravesh and Kanya Pujan ceremony scheduled on 18th May 2026 at Poway, California, on such terms and conditions as this Hon’ble Court may deem fit and proper, including directions for return of the Child to India by 10th June 2026 (or any other date fixed by this Hon’ble Court);*
- (b) Ad-interim reliefs in terms of prayer clauses (a) above be granted;*
- (c) Such further and other reliefs as the nature and circumstances of the case may require be passed.”*

2. I have heard Learned Counsel for the Applicant-Father and Learned Counsel for the Respondent-Mother.

3. Learned Counsel for the Petitioner-Father submits that though the apprehension of the Respondent that the child would not be brought back to India, if permission as sought is granted is not valid, still to allay the said apprehension, appropriate condition be imposed.

4. On the other hand, Learned Counsel for the Respondent-Mother submits that the child was forcibly taken away from the custody of the Respondent-Mother. It is submitted that the child is a US citizen and thus if the permission as sought is granted, then the child would not be brought to India.

5. The Respondent-Mother in her application filed under Section 7 read with 25 of the Guardians and Wards Act before the Family Court for the custody of the child, has alleged as follows:

“17. On 13/04/2023 the Petitioner had gone out to inquire about her father’s treatment in a hospital, who was a cancer patient. Mihika was at home with her grandparents. The Respondent suddenly without any notice came to Petitioner’s residence. The Petitioner’s mother was getting Mihika ready for school. The Respondent’s mother went to the kitchen to get water and her father asked Respondent to be seated. The Respondent within a couple of minute lifted Mihika and ran outside and immediately started car and took away the Mihika from Petitioner’s custody. The Petitioner’s father being a cancer patient and physically was unable to stop him or to run after him. Thus Respondent forcefully and highhandedly without Petitioner’s consent removed the Mihika from her custody. Thereafter the Respondent switched off his phone and refused to communicate with the Petitioner. The Respondent deliberately and intentionally separated daughter from Petitioner mother and with an intention to take her away permanently out of India and to cause wrongful loss pain and suffering to the Petitioner and the minor daughter.”

6. In view of the above allegations, I am not inclined to grant the permission as sought.
7. The Interim Application is therefore rejected.

(N.R. BORKAR, J.)