

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.4222 OF 2026

SMT. RASHLEEN KAUR BAJAJ W/O. JITENDER SINGH BAJAJ
VS
SHRI. JITENDER SINGH BAJAJ S/O RAVINDER SINGH

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. Payal S. Kaware, Advocate for the Petitioner (s).
Ms. Vaishali Khadekar, for the Respondent (s).

CORAM : RAJ D. WAKODE, J.
DATE : 29th MAY, 2026.

1. This Court, on 19.05.2026, had heard the learned counsel for the petitioner and had issued notice to the respondents, making it returnable on 17.06.2026.

2. The petitioner-mother has approached this Court seeking to challenge the impugned orders dated 11.05.2026 and 14.05.2026 passed by the learned Family Court, Nagpur, in Petition No. A-349 of 2025. By virtue of the aforesaid orders dated 11.05.2026 and 14.05.2026, the learned Family Court had held that the respondent-father shall be entitled to physical access to the minor child during the summer vacations w.e.f. 18.05.2026 to 30.05.2026. Accordingly, the petitioner was directed to hand over custody of the minor child to the respondent on 18.05.2026 before the Marriage Counsellor at the

Children's Complex, Family Court, Nagpur.

3. The petitioner, instead of complying with the aforesaid order, challenged the same before this Court in the present writ petition, which was listed before this Court on 19.05.2026. This Court, after hearing the petitioner, issued notice to the respondent, returnable on 17.06.2026. Noteworthy is that this Court has not granted any interim relief to the petitioner.

4. On 26.05.2026, the learned counsel for the petitioner, Ms. Kaware, mentioned the matter for urgent hearing and filed the pursis dated 26.05.2026, placing on record the order dated 19.05.2026, and insisted on urgent hearing of the matter. However, since the learned counsel for the respondent, Ms. Khadekar, was not intimated about such hearing, this Court directed Ms. Kaware to first intimate the learned counsel for the respondent about the urgent circulation and kept the matter today for further hearing.

5. A perusal of the order dated 19.05.2026 reveals that the learned Family Court, Nagpur, in view of the fact that the petitioner did not hand over custody of the minor child on 18.05.2026 in compliance with the order dated 14.05.2026 and had delayed compliance till 19.05.2026, thereby reducing the period of physical access of the minor child, and had further challenged the aforesaid order before this Court, modified the order dated 14.05.2026 only to the extent of the duration. Instead of the period from 18.05.2026 to 30.05.2026, the learned Family Court modified the aforesaid

duration to commence from 01.06.2026 and continue till 15.06.2026. The petitioner, by virtue of the present pursis, is seeking to challenge this modification on the ground that the school of the child will reopen on 08.06.2026. This Court, after hearing both parties, has observed that, considering the fact that the school will reopen on 08.06.2026, the aforesaid modified period from 01.06.2026 to 15.06.2026 can be reduced to 01.06.2026 to 07.06.2026.

6. Ms. Khadekar, the learned counsel for the respondent-father, is agreeable to such modification, though the father is at a loss of almost eight days of physical access to his minor child.

7. Ms. Kaware, the learned counsel for the petitioner, sought time to seek instructions from her client; hence, the matter was kept back after a few matters. When the matter was called out again, Ms. Kaware, learned counsel for the petitioner, upon instructions, made a categorical statement that the petitioner-mother is ready for such arrangement.

8. In view of the consent of the learned counsel for the parties, the following order is passed:-

(i) The petitioner, Smt. Rashleen Kaur Bajaj, shall hand over the custody of the minor child to the respondent, Shri Jitender Singh Bajaj, between 12:00 p.m. and 01:00 p.m. before the Marriage Counsellor at the Children's Complex, Family Court, Nagpur, on

30.05.2026.

(ii) The respondent-father is allowed to take the minor child to Hyderabad.

(iii) The respondent-father shall be entitled to physical access to the minor child during the summer vacations w.e.f. 30.05.2026 to 07.06.2026.

(iv) On 07.06.2026, the respondent-father shall return the custody of the minor child to the petitioner-mother between 03:00 p.m. and 05:00 p.m. before the Marriage Counsellor at the Children's Complex, Family Court, Nagpur.

(v) The common order passed by the learned Family Court, Nagpur, on 19.05.2026 below Exhibits 46, 47, 48 and 56 shall stand modified only to this extent, and the rest of the order shall remain as it is.

9. The parties to act upon authenticated copy of this order.

(RAJ. D. WAKODE, J.)