



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

CIVIL APPLICATION NO.265/2026
IN
FAMILY COURT APPEAL NO.42/2018 (D)
Dr. Dhiraj s/o Ramshankarji Gupta
Vs.
Dr. Radhika T. Inamdar

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

Court's or Judge's orders

Shri J.M. Gandhi, Advocate for non-applicant/appellant
Shri Masood Shareef, Advocate for applicant/respondent

CORAM : SMT. M.S. JAWALKAR AND N.S. DESHPANDE, JJ.
DATE : 30.03.2026

1. This is an application filed by the applicant/mother seeking a direction to the non-applicant/father to produce Master Raajveer before the learned Registrar of this Court. The application is in pursuance of the judgment delivered by this Court in Family Court Appeal No. 42/2018, decided on 26.07.2018. The relevant portion of the said judgment is reproduced as under:

“[i] The sole custody of 8 years old child Master Raajveer Gupta will remain with the appellant-father subject to the visitation rights of the respondent-mother as are enumerated below.

[ii] Raajveer will resume his studies at Bhartiya Vidya Bhavan, Shrikrushna Nagar, Nagpur, forthwith as the academic session of the school has started on 21.06.2018. The respondent shall be free to monitor and supervise the academic as well as extra-curricular activities of the minor and take necessary major decisions on the same jointly with

the appellant.

[iii] The respondent can take the minor child to U.K. twice a year during his summer vacations as well as Diwali vacations and spend the entire summer vacation and Diwali Vacation with her. The minor child shall only be with appellant and his family on Diwali day (Laxmi Poojan) in India and the remaining entire time with the mother.

[iv] In case of the mother coming to Nagpur any time during the entire year, she be entitled to complete overnight access to the child without any restriction for as many days as she stays at Nagpur without any limitation, subject to the child attending school. This access shall be in addition to vacation access as stated above. If this period extends beyond 15 days at a stretch, the appellant-father be given overnight access to the minor on weekend-Saturday and telephone access.

[v] The respondent mother be entitled to have a daily telephonic and or video telephone call with the minor son between 5 to 6 p.m. every day throughout the year. The immediate family members of the respondent be also entitled to the said telephonic/video conferencing access.

[vi] In respect of the Birthday celebration of the minor, the mother to have unrestricted 10 hours access during the day and the evening access and the evening be spent with the appellant as the Birthday of the minor coincides with the birthday of his first cousin, who like to celebrate together.

[vii] Both parties shall undertake not to opt for British Citizenship for Raajveer Gupta or otherwise change his nationality before he turns major.

viii] The parties agree that they will keep each other informed of any change in their respective residential addresses.”

2. We had interacted with Master Raajveer in the Chamber. We had also interacted with applicant and non-applicant and also learned Counsel appearing for respective parties. From the interaction and the factual aspects, it transpired that Master Raajveer has recently appeared for his SSC Examination and is presently preparing for the NEET Examination.

3. It is the contention of the applicant/mother that she is only trying to get the custody of the child in view of Clause- [iv] of the conditions mentioned above and she is in India till 17.04.2026. She, therefore, prays that access to the child in terms of said Clause-[iv] be granted to her.

4. Per contra, the non-applicant/father does not dispute the aforesaid position. However, he submits that he should also be granted adequate time to spend with the child. Needless to mention, we record with great reluctance that the child has been made a pawn between the litigating parents.

5. Be that as it may, in order to balance the equities and to ensure that the child receives the love and care of both parents, we direct that the child shall remain with the applicant/mother from 01.04.2026 at 10:30 a.m. till

10.04.2026, in terms of the order referred above. On 11.04.2026 at 10:30 a.m., the child shall be handed over to the non-applicant/father.

6. With this direction, the application is disposed of.

(N.S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

R.S. Sahare