

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.471 OF 2015

Pooja Sandip Kedia Petitioner
V/s.
Sandip Sankarlal Kedia Respondent

Mr. A.H.H. Ponda, i/by Mr. Prakash L. Mahadik, for the Petitioner.

Mr. Sandip Kedia, the Respondent, is present in person.

ALONG WITH

**CRIMINAL APPLICATION NO.431 OF 2015
IN
CRIMINAL APPLICATION NO.118 OF 2015**

Pooja Sandip Kedia Applicant
V/s.
Sandip Sankarlal Kedia & Anr. Respondents

Mr. A.H.H. Ponda, i/by M/s. Jaykar & Partners, for the Applicant.

Mrs. A.A. Mane, A.P.P., for Respondent No.2/State.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.J.
[VACATION JUDGES]

DATE : 28TH MAY, 2015.

P.C. :

1. Mentioned. Not on Board. Taken on Board.
2. Heard learned Counsel for the Petitioner and the Respondent, who appears in person.
3. The praecipe is taken up today on the ground that the liberty was given to the Petitioner by the Regular Court to move the Vacation Judge in the event the Petitioner fails to obtain permission from the authorities at Dubai for travelling to India along with child for the purpose of attending the proceedings in the Family Court on 9th June, 2015. The necessary condition, which was to be fulfilled before moving the Vacation Court, does not appear to be fulfilled in the sense that no application along with the affidavit is filed on record to show that the Petitioner has approached the authorities in Dubai for obtaining the permission to travel to India for the purpose of attending the proceedings pending in the Family Court. In such situation, unless and until such application, along with necessary documents, is filed on record, the Vacation Court cannot be moved. Therefore, his prayer to take up the matter and to pass the necessary orders stands rejected at this stage.

[DR. SHALINI PHANSALKAR-JOSHI, J.]