

ORDER BELOW EXH.21

(Passed on 17-03-2025)

This is an application filed by the respondent for getting permission to meet his minor daughter namely Ku. Sanvika Ashish Burakale.

2] In this application it is contended by the respondent that, his minor daughter is six years old. He is biological father of his daughter. He is having love and affection with his daughter. Therefore, he wants to meet his daughter but the petitioner and her maternal relatives are not allowing the respondent to meet his daughter. Therefore, the respondent be allowed to meet his daughter and give some gift on the occasion of Diwali Festival.

3] The petitioner has strongly resisted this application by filing her say on the leaf of this application. She has contended that, she always allowed the respondent to meet his daughter. This application is filed without any satisfactory reason. Even prior to Diwali Festival the petitioner had allowed the respondent to meet his daughter. In such circumstances, this application is not tenable. So, it be rejected.

4] Heard learned respective Advocates of both sides at length. Admittedly the respondent is biological father of his daughter namely Ku. Sanvika Ashish Burakale. Being father he has right to meet his six years old daughter. Being court of limited jurisdiction this court has not power to decide the custody of minor child of parties and said power is vested with Hon'ble District Judge. But under the provision of Hindu Marriage Act, 1955 this court is

empowered to pass an interim order in respect of minor child of parties by considering the welfare of said minor child. In present petition also it is very clear that the minor daughter of parties requires the love and affection of her both natural guardian i.e. her father and mother. Therefore, for the welfare of the minor daughter of parties it would be just and proper to allow the respondent to meet his daughter twice in every month. Therefore, in the interest of justice, I pass the following order.

ORDER

- 1) Application Exh.21 is partly allowed as under:
 - i) The respondent is hereby allowed to meet his daughter on every second and fourth Sunday of each month between 10.00 am to 01.00 pm at the house of petitioner's father namely Bhaskarrao Gopalrao Shenogokar, r/o Shree Colony, Lohari Road, Akot, Tq. Akot, Dist. Akola.
 - ii) Both parties are hereby directed that during the period of meeting of respondent and his daughter both parties shall maintain the peace and harmony and shall not misbehave before the said minor daughter namely Ku. Sanvika Ashish Burakale.

Date : 17/03/2025.

(Mahesh S. Kale)
Civil Judge (Sr.Dn.),
Akot.