

IN THE COURT OF THE JUDICIAL MAGISTRATE (FIRST CLASS)
COURT, 32ND COURT, BANDRA, MUMBAI.

C.C.No. 167/DV/2024

CNR No. MHMM180128272024

ORDER BELOW EXHIBIT- 2

The applicant has made the original application under Sec. 12 of Protection of Womens of Domestic Violence Act, 2005(hearing after reffred as D.V Act for the sake of brevity) in which the present application made for temporary custody of the children during the period of School vacations on 11/02/2025.

The applicant submits that since her seperation in April 2024 The Respondents not allowed her to meet her son and daughter. The School vacations in May will be starting hence she has prayed for access to her children under section 21 of the D.V Act.

Say of Respondants was called on the same. The Respondents have filed their common say Below Exh. 4 on 04/03/2025. The Respondents has submitted that both children are staying at Village Lanja, Dist. Ratanagiri.

The Grand Parents of the Children are taking education at the place. The applicant has visited the place and the respondent have never questioned her. The applicant has attened birthday celebration both the children of 18/08/2024 and 27/12/2024. The Respondent have stopped or prevented her from seeing her children they have never objected the coming of the applicant to Lanja hence the prayed for rejection of application as access is always granted and is avilable to the applicant.

Heard both Ld. Advoctes on the application on 24/04/2025. Both have aruged as per their stands at length. Therafter, applicants daughter was called before the Court on 02/05/2025 . The P. O had a meeting with her in the chember. Thereafter both the parties were requested the settled the matter for


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the sake of the children. But till today no such positive efforts are noticed from either party. Hence, the Order in this application is passed today.

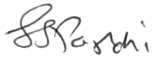
Read the application and say had conversation with daughter Samantha as per the record both the children are very young age. One is roughly five years and the other is two to three years. At this age, the company of mother is be birth right of the child as the summer vacation are going on right now. There will be no impediment in the education of the daughter. As far as her medical treatment is concerned the applicant wishes to be with the children at their place only. I donot find any problem in this.

Considering the past experiences and allegations exchanged between the parties it is expected that both the parties shall cooperate with each other during the period of this temporary access period. No Party shall trouble any party and as far as possible both shall avoid filling of legal proceddings against each other.

On this background, after due consideration to the record and alleged facts in it pass following Order.

1. The Application is allowed as prayed.
2. The Applicant granted temporary access to both the children during the period of Summer Vacation at their native place. The place village Lanja, Dist. Ratanagiri.
3. The Respondent No.1, his parents or any other relative from his side shall grant easy and free temporary access to the applicant both the children till reopening of the School.
4. Both the parties shall abide the directions without fail.

Date: 07.05.2025
Place: Mumbai.


(S.S. Parkhi) — 7/5/25
Judicial Magistrate (First Class)
32nd Court, Bandra, Mumbai