

**IN THE COURT OF DISTRICT JUDGE, PUNE AT PUNE.**

**CIVIL SUIT NO. 10/2017**

*Rishad Darayas Cooper* .. *Plaintiff*  
Vs.  
*Nahida Rishad Cooper* .. *Defendant*

**ORDER BELOW EXH.84**

As per order passed below Exh.75, this Court has injuncted defendant from shifting Marc out of Pune City without taking permission of this Court. This order is in force till today. In the alternative, wife/defendant was permitted to take Marc out of Pune subject to certain conditions. Today, the plaintiff has started arguments on all interim applications. Yet, it is incomplete. The order dated 28.02.2018 needs to be extended.

2- There is an opposition from the defendant side that the order affects the liberty of the defendant. There is also submission that the condition to give 7 days notice is onerous on defendant.

3- There is already another application pending for giving general access and for giving access during summer vacation. It is at Exh.76. It was filed on 28.02.2018. The defendant has not filed reply to it. The reasons quoted are the defendant is busy in the examination of Marc and even the learned Advocate is also busy in her personal commitments. It is made clear that the examination of Marc will be over on 13.04.2018.

4- As per Court diary next available date is 24.04.2018. It is requested on behalf of plaintiff that the matter be kept on 16.04.2018 for hearing the access application below Exh.76. I have tried to find out some solution about summer access, but today it could not be arrived at. Probably, the parties may require time to find out some solution. This exercise was done by this Court only with a view that arguments on pending applications can be continued. But, today viable solution could not be worked out.

5- I intend to extend duration of injunction till next date. I am not inclined to vary the conditions at least today, because no instances of inconvenience were pointed out to me. If the duration of injunction is extended till next date, I do not think that even if the matter is not kept on 16.04.2018, plaintiff will cause prejudice. So, I am keeping the matter on 24.04.2018. Parties may think of finding out some amicable solution about the vacation access. If they are successful, this Court can save the time in deciding Exh.76. It will be material to direct the plaintiff to file such applications not at the fag end of the hearing but at the beginning itself.

This has happened today. Hence, the order :-

**ORDER**

The operation of the order dated  
28.02.2018 is extended till next date.

Place – Pune  
Date -28.03.2018

(S. M. Modak)  
Principal District Judge,  
Pune.

I affirm that the contents of this P.D.F., file order /judgment are same word for word as per original Judgment.

Name of Steno	: A.G. Tawale (Steno H.G.)
Court Name	: Principal District Judge,Pune.
Date	: 28.03.2018
Judgment signed by P.O. on	: 29.03.2018
Judgment uploaded on	: 29.03.2018