

ORDER BELOW EXH. 1 IN CIVIL SUIT NO.10/2017

Heard learned Advocate Ms. Merchant for defendant and learned advocate Shri. Siddharth Desai holding for learned advocate Shri. Sanjay Bhojwani for the present plaintiff. Learned advocate Shri. Sanjay Bhojwani is held up in the matter between the same parties today fixed before the Hon'ble High Court. Learned advocate for the plaintiff brought to my notice application below Exh.108 thereby asking temporary access/ visiting rights and containing various reliefs. Learned advocate for the defendant pointed out to me that the access on the occasion of Birthday of son Marc was peaceful and there are various allegations made in Exh.108.

2- I am aware about the directions given below Exh.1 on 04.07.2018. The suggestion was given to both the parties to think of resolving the dispute in between the parties. I do agree that the access and custody of son Marc is crucial issue. At that time, I gave suggestion that the issue about permanent custody of son Marc can be kept open and left it to the Court for adjudication. But, it seems that both the parties are harping upon deciding that issue by way of temporary arrangement. This Court has given sufficient time to both the parties to argue upon earlier access application. It was also decided. Now, this is fresh application.

3- So, what I feel is that the matter needs to be referred to mediation. Today, I am not referring it to mediation because learned advocate Shri Bhojwani is not present. This Court is cautious about the direction given by the Hon'ble Supreme Court in case of Afcon Construction Companies Case. Even it, there is no consent of the parties, Court can refer it to mediation, if it is in the interest of the parties. Matter is adjourned. If the defendant wants, she can file reply to Exh.108 on the next date.

Pune
Date -06.08.2018

(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 : Shri. A. G. Tawale
Stenographer (Grade-1)

Court Name : Principal District &
Sessions Judge, Pune.

Date : 06.08.2018
Judgment signed by P.O. on : 06.08.2018
Judgment uploaded on : 01.10.2018

IN THE COURT OF DISTRICT JUDGE, PUNE AT PUNE.

CIVIL SUIT NO. 10/2017

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

FURTHER ORDER BELOW EXH. 1

Plaintiff and defendant are injuncted from printing or publishing

any matter pertaining to this suit, till disposal of Exh.54. .

Place – Pune
Date -27.04.2018

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