



COMMON ORDER BELOW EXH. 62 & EXH.68 IN
CIVIL MISC. APPLICATION NO. 12/2025

(Abhijit Tukaram Patil Vs. Yojana Abhijit Patil)

1. This Court had directed to hand over interim custody of minor child Tejomani to father Abhijit as per order below Exh.62 in Civil M.A.No.12/2025 passed on 30/04/2026. Subsequently, mother Yojana appeared before the Court with her advocate and filed application Exh.68 for getting custody of son Tejomani. She had also filed reply to application Exh.62 having Exh.67. Heard Ld. Counsel Shri. A. K. Shinde for mother Yojana and Ld. Counsel Shri. G. P. Kumbhar for father Abhijit.

2. Considering rival contentions, it appears that both sides have differences on the point of obtaining custody of minor son Tejomani and providing treatment in the hospital of Dr. Ghatage at Sangli. Ld. Counsel Shri. A. K. Shinde submitted that son Tejomani was not found in the hospital during day hours and he was brought to the hospital in the evening consecutively on two dates. He took objection to taken away son Tejomani out of the hospital while he was admitted in the hospital. He further submitted that concerned doctor was student of Abhijit's father in the school. By elaborating all these details, he contended that son Tejomani is now discharged from the hospital and therefore, purpose of giving interim custody as per order Exh.62 is served. He insisted for giving son Tejomani in custody of mother again.

3. On the contrary, Ld. Counsel Shri. G. P. Kumbhar submitted that father of Abhijit is taking treatment for third stage of cancer and he was required to be taken to a diagnostic center for his C.T. Scan. He was not in a position to keep the child alone in the hospital and therefore, he had taken son with him. He further submitted that son Tejomani is discharged from the hospital due to pressure built by mother Yojana. According to him, health of son Tejomani is not completely recovered and he is malnourished and undernourished. He is under weight. He further submitted that further treatment can be given to Tejomani at Pune. He insisted for keeping custody of Tejomani with father for providing further treatment to him and for improvising his health condition. He prayed for allowing application Exh.62 and for rejection of application Exh.68.

4. Considering rival submissions and material on record, it appears that father Abhijit has concern regarding health condition of minor son Tejomani. He expressed his concern regarding diet provided to son Tejomani. Mother Yojana countered this contention by saying that proper meal is given to son Tejomani. In short, both sides are not adjusting each other on the point of food offered to son Tejomani and medical treatment given to him. For this purpose, both sides are required to establish proper co-ordination and to co-operate each other so that grievances of both of them can be sorted out. In the light of above discussion, counseling of both sides was done and they were convinced to keep their differences away while dealing with issues relating to proper upbringing and health of minor son Tejomani. In the result, I pass the following order.

: ORDER :

1. Application Exh.62 is rejected.
2. Application Exh.68 is allowed.
3. Father Abhijit is directed to hand over custody of son Tejomani to mother Yojana.
4. Mother Yojana is directed to allow father Abhijit to provide food, cloths, medicine etc. to their son Tejomani.
5. She is further directed to have co-ordination and co-operation with father Abhijit for giving medical treatment to son Tejomani. For this purpose, she should co-operate to take son Tejomani to diagnostic centers and hospitals in co-ordination with father Abhijit.
6. Both sides are directed to report compliance of direction regarding handing over custody of son Tejomani to mother Yojana on the next date of hearing.
7. Applications at Exh.62 and Exh.68 are disposed off.

Vita
dt.06/05/2026.

(R.R. Bhagwat)
District Judge-1, Vita

<u>CERTIFICATE</u> I affirm that, the contents of this PDF File Order are same, word to word, as per the original order.	
Name of Stenographer	G.S.Parve (Grade - I)
Name of Court	District Judge – 1 & Additional Sessions Judge, Vita
Date of Order	06/05/2026
Order signed by the Presiding Officer	06/05/2026
Order uploaded on	06/05/2026