



CNR : GASG02-002875-2023

Case no. PWDVA 20/2023/E

ORDER BELOW EXHIBIT 6

(Delivered on this the 29th day of the month of August, of the year, 2023)

1. Perused the application at exhibit D-6 and memo filed as of today placing on record the emails from the school of minor daughter, Kyra Pereira.
2. It is the case of the Applicant that an ex-parte relief be granted to the Applicant as to prayer 'A' & 'C' of the present application.
3. Here, as seen that the respondent no. 1 is presently seen residing abroad and considering the pleading that he is an influential person and also considering that respondent no. 2 to 4 are in the State. I am inclined to consider the prayer for a very limited aspect as to an ex-parte order as prayer 'C' of the present application. As the other contention thus seeking further ex-parte order as to prayer 'A' needs to be considered on merits of the application.
4. Thus, based on the facts pleaded is the present case and the present application which is supported by email which is filed by

memo as of today it is prima facie shown that the minor daughter Kyra Pereira was not sent to the School due to the apprehension as stated as to the safety of minor daughter in School.

5. Hence, at this stage considering education of the minor daughter of paramount concern wherein her studies & education should not be affected till the respondents are served in the present case. I am only inclined to partly grant an ex-parte relief as to prayer 'C' that to on a limited aspect, so that the minor daughter can attend the School and pursue her studies.

6. As to prayer 'A' and other relief the same shall be considered on merits of the present application.

7. Hence, for reason stated above in order the minor daughter can attend her school and studies without any fear, the respondent no. 1 through his family, friends and relatives, agents, attorney workers, servants, respondent no. 2 to 4, their family friends, relatives, agents, attorney, workers, servants are restrained from going near the school premises of the Presentation Convent, Fatorda, Margao and from approaching the School authorities in respect to the minor daughter against the consent of the Applicant as far as related to the Schooling and education of the minor attending the School.

8. Hence, I proceed to pass the following :

ORDER

Ex parte relief is partly allowed, as to prayer 'C' and is rejected as to prayer 'A' which shall be considered on merits of the present application.

Pronounced in the open Court.

 29.8.2023

(Ms. Manisha M. S. Parkar @ Narvekar)
Judicial Magistrate First Class,
'F' Court, Margao-Goa
I/c of J.M.F.C., 'E' Court, Margao-Goa

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