

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 4244 of 2025**

**With
CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2025
In R/FIRST APPEAL NO. 4244 of 2025**

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SHREEDHAR BABU MUDLIYAR

Versus

GAYATRI SHREEDHAR MUDLIYAR, NATURAL GUARDIAN OF MINOR
TANISH SHREEDHAR MUDLIYAR

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Appearance:

MR DEV S KELLA(12105) for the Appellant(s) No. 1

MS SD RAMI(1983) for the Appellant(s) No. 1

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CORAM: **HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
and
HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 28/11/2025

ORAL ORDER

(PER : **HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**)

Order in First Appeal:

1. Ms S. D. Rami, learned advocate appearing for the appellant, submitted that the application seeking custody of the child has been rejected on incorrect premise. It is submitted that it would be wrong on the part of the learned Judge to deny the custody so also the visitation right. The basis of rejecting the application was that the applicant, half of the month is in the field and for the remaining period, from 9:00 a.m. to 8:00 p.m., he is on his job. It is submitted that the parents of the applicant are very much there and in such a circumstances, the custody and the visitation right ought not have been denied.

2. Ms S. D. Rami, learned advocate has invited attention of this Court to the order dated 08.11.2023 passed below Exhibit 5. It is

submitted that initially, the visitation rights were permitted to the applicant every 1st, 3rd and 5th Saturdays for three hours as per the convenient schedule of the child at a convenient place; however, since the applicant, is in a private job modification was requested and the learned Judge has modified the order by changing the meeting on every 1st, 3rd and 5th Sundays instead of Saturdays. Therefore, all throughout during the pendency of the application, the applicant father was visiting the child on 1st, 3rd and 5th Sundays except on two to three occasions. It is urged that at least the applicant father being a natural guardian may not be deprived of the meeting till the next date of hearing.

3. Issue notice to the respondent, returnable on 22.12.2025. Direct service is permitted.

Order in civil application:

Heard Ms S. D. Rami, learned advocate appearing for the applicant.

Issue notice to the respondent, returnable on 22.12.2025. Direct service is permitted.

By way of ad-interim relief, the visitation rights allowed by the Family Court vide order dated 08.11.2023 below Exhibit 5 to continue till then.

(SANGEETA K. VISHEN,J)

(NISHA M. THAKORE,J)

RAVI P. PATEL

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: RAVI PRAVINCHANDRA PATEL(HC01068), PRIVATE SECRETARY, at High Court of Gujarat on 28/11/2025 17:13:35