

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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**FIRST APPEAL NO.1276 OF 2024
WITH
INTERIM APPLICATION NO.11198 OF 2024**

Rubina Bernard Patil	...Appellant
Versus	
Mrs. Pinky Raindoll Patil and Anr.	...Respondents

Adv. Samiksha Pawar a/w Adv. Riyan A. Jijina H/f Adv. Santosh Singh for the Appellant.

Mr. Mithilesh G. Rajbhar for Respondent No.1.

CORAM : M.M. SATHAYE, J.

DATE : 23rd DECEMBER, 2025

P.C. :

1. Heard learned counsel for the parties.
2. In an attempt to resolve dispute between the mother and grand-mother of the children involved (two daughters), the Respondent No.1 (mother) had arranged for a separate accommodation where the Appellant (grand-mother) can visit.
3. Under order dated 14.07.2025, statement on behalf of Respondent No. 1 (mother) was recorded that the execution shall not be pressed.
4. Under Orders dated 18/08/2025 and 22/08/2025 parties had sought time for filing consent terms.

5. However, on 08/09/2025, request was made on behalf of the Appellant (grand-mother) that she wants to change Advocate and new Advocate was already present. Considering the conduct of the Appellant, the Respondent No.1 has already expressed that she is not ready to go for settlement. This is recorded in Order dated 08/10/2025.
6. On 02/12/2025, it is recorded that as the Appellant has changed Advocate and is not ready for compromise, the leave and licence document which was executed by Respondent No.1 (mother of the children), the agreement was cancelled, bearing expenses thereof.
7. In these circumstances, the matter was placed today for hearing.
8. Today, learned Counsel for the Appellant seeks time on the ground that arguing Counsel is not available.
9. Respondent No.1 (biological mother) has been held entitled for custody of the children, under impugned order.
10. Considering the facts and circumstances narrated above, since the hearing is getting postponed, it is clarified that that Respondent No.1 and her Advocate are discharged from the statement made in respect of not pressing execution.
11. Stand over to 20/01/2026 for further consideration.

(M.M. SATHAYE, J.)