

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

**INTERIM APPLICATION NO.3382 OF 2026
IN
WRIT PETITION NO.8942 OF 2024**

Tanvi Ruchit Patel	... Applicant/Ori. Respondent
<u>In the matter between</u>	
Dr. Ruchit Bharat Patel	... Petitioner
Vs.	
Dr Tanvi Ruchit Patel	... Respondent

**WITH
WRIT PETITION NO.2168 OF 2026
WITH
SUO MOTU CONTEMPT PETITION NO.13 OF 2024**

Mr. Nitin Satpute a/w Taubon F. Irani, Divya Sharma, Moksha Kothari, Abhishek Bandekar for the Applicant in IA No.3382 of 2026.
Mr. T. R. Lalwani a/w Sadhana Jaykar (Lalwani), J. K. Shah, Namrata Thakur, Pooja Shah i/by R. J. Law for the Respondent-Husband.

**CORAM : N.R. BORKAR, J.
DATE : 06TH MAY 2026**

PC. :

1. This petition arises out of the proceedings filed by the petitioner-father against the respondent-mother for custody of their minor child.

2. This Court by order dated 21st October 2024 directed the respondent-mother to deposit passport of the minor child with the Registrar (Judicial-1) of this Court.

3. The present application is filed by the respondent-mother for return of the passport on the ground that the minor child has already missed the various international competition to which he was invited and if the passport is not returned, he would not be able to participate in any of the international competitions.

4. I have heard the Learned Counsel for the parties and considering the earlier orders passed by this Court, interacted with the child in the chamber.

5. During interaction, the child responded cheerfully while discussing topics related to academics, friends, sports as well as his relationship with the mother. Upon enquiring about his relationship with the father, the child appeared nervous and restless. The child further conveyed that he felt neglected by the father because he favoured other children in the family over him as well as travelled to various places abroad while the child had to stay at home. The child further confided that he aspires to win the upcoming Olympiad competition, with intentions to prove himself to the father. It is observed that the child is apprehensive whether he will be able to attend the upcoming competition or not, while recalling similar past instances of failure to attend competitions due to the actions of the Respondent-Father.

6. The learned counsel for the petitioner-father submits that on earlier occasions also similar prayer was made and this Court rejected it. In the alternative, it is submitted that certain condition be imposed.

7. In a battle between the parents for custody, the child is always a victim and this case is no exception. Considering the overall facts and circumstances, the Application is allowed in terms of prayer clause (b).
8. The Interim Application is disposed of.
9. List the Petition on **15th June 2026**.

(N.R. BORKAR, J.)