

ITEM NO.43

COURT NO.2

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).8105/2017

(Arising out of impugned final judgment and order dated 10-10-2017 in MCRC No. 10676/2016 passed by the High Court of M.P. Principal Seat at Jabalpur)

MANJU PARMAR

Petitioner(s)

VERSUS

SAMAR SINGH PARMAR & ORS.

Respondent(s)

(WITH I.R.)

Date : 05-10-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Vivek K. Tankha, Sr. Adv.
Mr. Suryanaryana Singh, Adv.
Ms. Pragati Neekhara, AOR
Mr. Prashant Sivarajan, Adv.

For Respondent(s) Mr. Surendra Singh, Sr. Adv.
Mr. D.S. Parmar, Adv.
Priyanka Das, Adv.
Ms. Abha R. Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

The challenge in this petition is to an order dated 10th October, 2017 passed by the High Court of Madhya Pradesh in M.Cr.C. No.10676 of 2016.

In the order passed by the High Court, it is directed that the custody of the child (Divyaraj Parmar) should be restored to the father (Samar Singh Parmar) within a period of 30 days.

It was further noted in the order that the parties are at liberty to pursue the proceedings under the personal law with regard to custody of the child. The High Court made it clear that the observations made in the order dated 10th October, 2017 will not in any manner affect the outcome of the case with regard to custody of the child to be decided in such proceedings.

It has now been pointed out by learned counsel for the petitioner that the 2nd Additional Principal Judge, Family Court, Bhopal has passed an order on 17th May, 2018 under Section 7 of the Guardians and Wards Act, 1890. In terms of the order, which appears to have been passed after the discussion with the child (Divyaraj Parmar), custody of the child has been given to the mother who is the petitioner before us.

In view of the above, nothing further survives in the petition filed by the petitioner and the petition is accordingly disposed of as infructuous in view of the order passed by the 2nd Additional Principal Judge, Family Court, Bhopal on 17th May, 2018.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR