

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____/2025
[@ SLP [C] NO. 6772/2021]

ARATI YOGESH JAGAM & ANR. Appellant(s)

VERSUS

THE STATE OF KERALA & ORS. Respondent(s)

O R D E R

Leave granted.

When the matter was taken up for hearing, the learned counsel appearing for the contesting respondent Nos.7 and 8 submitted that they are not pursuing the claim any further. We are dealing with a case where the appellants have not been heard in the revision proceedings at the High Court. In such view of the matter, the impugned order stands set aside.

We make it clear that the appellant(s) shall continue to have the custody of the child.

The order dated 02.02.2021 passed by the Family Court at Ernakulam in O.P. No.2007 of 2020 granting legal guardianship of the child to the appellants is made absolute.

The appeal stands allowed accordingly.

Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[RAJESH BINDAL]

NEW DELHI;
FEBRUARY 11, 2025.

ITEM NO.6

COURT NO.8

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 6772/2021

[Arising out of impugned final judgment and order dated 09-04-2021 in RPJJ No. 2/2021 passed by the High Court of Kerala at Ernakulam]

ARATI YOGESH JAGAM & ANR.

Petitioner(s)

VERSUS

THE STATE OF KERALA & ORS.

Respondent(s)

IA No. 58941/2021 - APPLICATION FOR FILING THE PETITION WITHOUT DISCLOSING THE IDENTITY OF THE PETITIONER/RESPONDENT

IA No. 59209/2021 - APPLICATION FOR PERMISSION

IA No. 100644/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 59210/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 58942/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 58943/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 11-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Ms. Liz Mathew, Sr. Adv.
Ms. Sonali Jain, AOR
Ms. Mallika Agarwal, Adv.

For Respondent(s) Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mrs. Ashly Harshad, Adv.
Mr. Vijay Kumar, Adv.

Mr. P. S. Sudheer, AOR
Mr. Rishi Maheshwati, Adv.
Ms. Anne Mathew, Adv.
Mr. Bharat Sood, Adv.
Ms. Shruti Jose, Adv.
Mr. Jai Govind M J, Adv.

Mr. Rajith, Adv.
Ms. Anzu. K. Varkey, AOR

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

Leave granted.

The appeal stands allowed accordingly.

**Pending application(s), if any, including IA
No.58941/2021 shall stand disposed of.**

**(ASHA SUNDRIYAL)
DEPUTY REGISTRAR**

[Signed order is placed on the file]

**(POONAM VAID)
ASSISTANT REGISTRAR**